

# Law Enforcement News

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**Stop or I'll shoot...**

## Supreme Court tackles fleeing-felon laws

By Jennifer Browdy

A critical round in the continuing debate on police use of deadly force is to be staged during this term of the Supreme Court. The Court has agreed to rule on the constitutionality of a Tennessee law allowing police to use deadly force to apprehend all fleeing suspects in felony cases.

The case at issue, *Tennessee v. Garner*, arose from the 1974 death of 15-year-old Edward Eugene Garner. Garner was fatally shot by a Memphis police officer while fleeing unarmed from an unoccupied house from which he had stolen ten dollars worth of money and jewelry.

His father, Cleamtee Garner, brought a \$2-million suit against the city, alleging violations of the Fourth, Eighth and Fourteenth

Amendments. After prolonged litigation, the U.S. Court of Appeals for the Sixth Circuit ruled in June 1983 that the shooting was an unreasonable and excessive means of effecting Garner's arrest.

However, the court cleared the police officer involved of any wrongdoing, because he had acted in good faith reliance on Tennessee state law and the Memphis Police Department rules.

The Sixth Circuit court ruled that the Tennessee fleeing felon law authorized unreasonable seizures, and therefore violated the Fourth Amendment and the due process clause of the Fourteenth Amendment. The State of Tennessee and the City of Memphis appealed this decision to the

Supreme Court, which agreed to rule on the constitutionality of the state fleeing felon law.

The case has attracted widespread attention from the law enforcement community, as the Supreme Court's decision is expected to have far-reaching ramifications on deadly force lawsuits and police guidelines throughout the nation.

A majority of police officials and criminal justice experts have come out in support of stricter guidelines for use of deadly force against fleeing felons.

A friend-of-the-court brief supporting the decision of the Sixth Circuit court was filed in August by the Police Foundation and a consortium of 11 law enforcement organizations and 31 police executives. The brief asks the

Supreme Court to uphold the lower court decision restricting police use of deadly force against fleeing felons.

"Research has demonstrated time and again that laws permitting police officers to use deadly force in these situations actually do not protect citizens or law enforcement officers," said Police Foundation president Patrick V. Murphy.

"In fact, such laws, we have found, are responsible for unnecessary loss of life and friction between police and the communities they serve. They ultimately result in less effective law enforcement and in an undue burden upon police officers who must make and live with the consequences of these decisions."

In appealing the Sixth Circuit

decision, the State of Tennessee and City of Memphis argue that "the Court of Appeals either ignored or gave insufficient deference to the compelling state interests herein — effective law enforcement and the apprehension of fleeing criminals. The rule adopted favors the criminal and encourages flight to avoid capture."

The friend-of-the-court brief takes exception to this view, saying that "all the available evidence indicates that expansive use of police deadly force to apprehend fleeing suspects is in no way associated with reduced rates of crime or with increased safety of the public or the police."

The brief continued, "The Tennessee statute in question is, in

Continued on Page 17

## House panel cites racism as NYPD brutality factor

A House subcommittee report charging that racism in the New York City Police Department "appears to be a major factor in alleged police misconduct specifically and in police-community relations generally" has provoked a defensive reaction from city and police department officials.

The report, prepared by the House Judiciary subcommittee on criminal justice, is based on three Congressional hearings held in New York last year to determine the extent of racially motivated police misconduct.

The hearings were held at the request of black leaders, who travelled to Washington in June 1983 to ask Rep. John Conyers Jr. (D-Mich.), chairman of the criminal justice subcommittee, to intervene in hopes that a public



House subcommittee chairman John Conyers Jr. (4th from left) at the July 1983 hearings.

NYT Photo

airing of concerns would relieve racial tensions in New York City.

At that time, Rep. Conyers released a statement asserting

that brutality and abuse by police department officers was systemic and condoned by the city's leadership. The 74-page report backed

down somewhat from that initial assertion, saying instead that the problem of racially motivated police misconduct "has been

treated less than seriously" by the New York City leadership and that racial relations within the police department are "adversarial."

The subcommittee report also noted, however, that "recent steps taken in New York to improve community relations are an indication of progress," and that the Civilian Complaint Review Board, long the target of complaints by community leaders, "appears to be on the road to improvement."

New York Police Commissioner Benjamin Ward reacted defensively to the report, saying he would not allow his department to be "smeared" because of the racist actions of a few officers.

"I am a black person," he said, speaking at a luncheon meeting of

Continued on Page 8

## Peru coke cleanup ended after killings

The State Department's Narcotics Assistance Unit suspended its cocaine eradication program in Peru last month after gunmen terrorized a jungle campsite, killing 19 Peruvians employed by the United States.

The Peruvian victims were employed by the Upper Huallaga Valley Coca Reduction and Control Organization, which is part of a \$30-million program financed by the U.S. to cut production of coca along the Huallaga River, where most of the illegal coca in Peru is grown. Peru produces almost half the world's supply of coca, the basic ingredient in cocaine.

Workers in the program

destroy coca and replace it with legal, but less lucrative crops such as soybeans and corn.

Peruvian police said the massacre was committed by drug traffickers, although there were also reports that the Maoist guerilla group Shining Path might have been involved.

Peru's president, Fernando Belaunde Terry, said the victims were "heroes" and the killers were "narco-terrorists."

Dozens of people, including police officers, mayors and farmers, have been killed during the last year in coca-growing areas in attacks attributed to cocaine traffickers and their guerilla allies.



MEANWHILE, IN MEXICO: Some of an estimated 10,000 tons of marijuana seized by Mexican federal police last month goes up in flames. It was the largest pot seizure on record.

Wide World Photo



# Around the Nation

## Northeast

**MASSACHUSETTS** — In a ceremony at the New Salem Police Department, Champ, a 3½-year-old German shepherd, was sworn in as a special police officer. His handler, Officer Clayton Rushdon, said department officials "didn't want Champ to feel left out" when Rushdon was sworn in as a special officer.

In Cambridge, Middlesex County Sheriff Edward Hennesberry, 49, died of apparent heart failure (see related story, page 4).

**NEW JERSEY** — A special list of scofflaws who have ignored more than 15 parking or traffic tickets has been compiled in Trenton, in anticipation of the arrival of a new law enforcement device: a bright orange clamp used to immobilize parked vehicles. Since the clamps, or Auto Cuffs, arrived in Trenton in November, about 75 of the 123 people on the scofflaw list have paid their fines.

**NEW YORK** — The Yonkers police are investigating reports that two witnesses saw three officers beating a narcotics suspect on a city street, hours before he was found hanging in his jail cell. This prisoner, arrested for possession of marijuana, was pronounced dead of asphyxiation by the Westchester County Medical Examiner, who labeled the case a suicide.

In a New York State Supreme Court, a 58-year-old man is arguing that because he suffers from a debilitating disease that leaves him too ill to form personal relationships, he has no choice but to turn to prostitution. Judge Arthur Hirsch is expected to make a distinction in the case between public "street" prostitution and private services. It is the first time a lawsuit charging that prostitution laws are unconstitutional has been taken seriously in the U.S. courts.

**PENNSYLVANIA** — Philadelphia Police Commissioner Gregore Sambor has announced the suspension of three more officers suspected of accepting bribes to allow illegal gambling. At a trial of five other officers accused of similar crimes, a video poker machine operator accused the former head of the citywide vice unit of taking payoffs.

**RHODE ISLAND** — Justice Florence K. Murray of the state Supreme Court received the 1984 Judge of the Year award from the National Association of Women Judges at its annual meeting in October. Justice Murray was elected to Rhode Island's high court in 1979, following 22 years on the superior court bench.

**VERMONT** — In Montpelier, Major Robert Horton, the new State Police director, has proposed adding more officers to the force to provide 24-hour coverage of the state.

## Southeast

**FLORIDA** — A bill calling for limited background checks of day care employees has won preliminary approval from the Dade County Commission, pending a January hearing.

An advisory panel in Tallahassee has recommended that the medical bills of child abuse and drunken driving victims should be paid by the state. To raise the funds, court costs for drunken driving cases would be raised from \$15 to \$30.

**GEORGIA** — Cartersville Police Chief Carl Whitley and Det. Maj. C.B. Siniard have been found guilty of theft charges for serving confiscated liquor at a party for law enforcement officers. They face maximum sentences of one year in jail and \$1,000 in fines.

**LOUISIANA** — Beginning January 1, New Orleans police will start issuing \$25 to \$30 tickets to parents of children who are not riding in child restraint seats. Warning tickets have been issued since the law took effect in June.

**NORTH CAROLINA** — C. Manly Lancaster, 63, resigned after 14 years as sheriff of Forsyth County (Winston-Salem), citing medical reasons. Maj. Gahany Dillon will serve as acting sheriff.

**SOUTH CAROLINA** — The state's first full-time victim-witness program has been announced by Solicitor Donald Myers. The program will keep crime victims informed of the progress of their cases.

## Midwest

**KENTUCKY** — Covington officials issued warrants for 30 people on food stamp trafficking charges after a four-month undercover operation in which agents purchased guns, drugs and cars with food stamps.

**MICHIGAN** — In Flint, more than a thousand people have applied for 40 jobs as police officers. Trainees earn \$13,492; after 19 weeks the salary jumps to \$21,868. Officials say the demand for jobs has been created by an unemployment rate in Flint of 15.8 percent.

**OHIO** — Cincinnati Police Chief Myron Leistler has told local businessmen that he does not support advertising solicitations being made locally for Ohio Police Chief magazine, which is produced by the Ohio Association of Chiefs of Police. Leistler said the solicitations may contain false advertising.

Outgoing Lorraine Sheriff James Mertz, defeated by 191 votes November 6, says some ballots were cast in the name of deceased former nursing home patients. Both he and his opponent, Martin Maloney, have called for an investigation.

**ARKANSAS** — Gov. Bill Clinton has called for a new large prison to be built within two years, because alternative programs cannot handle the projected growth of the state's inmate population.

## Plains States

**MINNESOTA** — Authorities in the Minneapolis-St. Paul area have cracked a credit card fraud

ring in which at least 10 local teenagers used home computers to obtain credit card numbers from an illegal data bank, and then used the numbers of order thousands of dollars of merchandise on other people's accounts.

Brent Richter, Comfrey's new 24-year-old police chief, has been confronted by more than 100 people complaining he uses excessive force in policing the town. Richter has been suspended by the City Council pending a hearing on whether to fire or replace him. Richter, who has been chief for a month, has denied any wrongdoing.

**MONTANA** — Sanders County commissioners have unofficially approved a \$17,000 out-of-court settlement with ex-Deputy Sheriff Frank Filippi, who was fired in 1980 on drug charges that were later dismissed due to a lack of evidence.

**NEBRASKA** — Omaha police wrote 1,305 tickets for traffic violations during a 3-month crackdown on motorists who run yellow lights, an increase of 46.3 percent over the same period last year.

**NORTH DAKOTA** — A petition supporting Grand Forks Sheriff Gordon Taylor has been prepared by residents. Taylor pleaded guilty last month to charges of drunken driving. He was off-duty when arrested.

Reports of sexual abuse of children have skyrocketed in the state during the past year, according to the state Department of Human Services. Reports are up nearly 42 percent over last year, the department says.

**WYOMING** — Former Rawlins Police Chief Abe DeHerrera has filed a \$750,000 lawsuit against the city and City Manager John Darrington over his 1982 demotion to lieutenant. DeHerrera says he was demoted because of open disputes with Darrington on various issues.

## Southwest

**ARIZONA** — State corrections director James Ricketts is planning to ask for \$2.5 million from the Legislature to build temporary beds to alleviate prison overcrowding. He also plans to transfer inmates to less crowded facilities.

**NEW MEXICO** — Belen Police Chief Danny Gabaldon has resigned his position to become chief security guard in a Nevada casino. He had been chief in Belen since 1983.

**TEXAS** — Houston police officer Anthony R. Magdaleno, 47, has received a \$5,000 educational scholarship award for outstanding police work. A police officer for 19 years, he was also recently awarded a PARADE Magazine/IACP honorable mention award for his outstanding performance.

**UTAH** — Two Lehi police officers, under disciplinary probation by their department, have filed a \$1.4-million Federal lawsuit against the city, alleging that their rights were violated. The two officers were placed on six months probation following charges that they gave judo lessons while on duty, did not answer dispatcher calls and acted unprofessionally.

**CALIFORNIA** — A Federal appeals court ruled that police can ignore "no trespassing" signs and drive up a private road without a warrant while looking for marijuana. The case upheld lower court drug convictions.

Police have reported major success after setting up California's first sobriety checkpoint in Burlingame in a new program to combat drunken driving. In five hours, 233 drivers were screened and none were arrested. The California Highway Patrol would like to extend the program statewide, but may be stalled by an ACLU suit asking the state Supreme Court to prohibit such checkpoints.

**NEVADA** — State Assemblyman Jim Stone (R-Sparks) says he plans to call for legislation to increase the penalty for felony drunken driving from 6 years to 20 years.

The Reno Police Department is being investigated by a Washoe County grand jury. The specifics of the case have not been released, but reports allege cash misuse and improper promotions.

**WASHINGTON** — The remains of yet another victim of the so-called Green River Killer were found near the town of Enumclaw. The victim, 18-year-old Martina Theresa Authorlee of Seattle, was last seen alive on May 15, 1983, and was identified through dental records. She became the 28th known victim of the elusive serial killer.

A state police official countermanded an order by King County Patrol Chief Neil Maloney setting up a ticket quota, after troopers complained. The state officials said a ticket quota was against state policy.

U.S. Department of Transportation



**DRINKING AND DRIVING  
CAN KILL A FRIENDSHIP**



# Car theft problem worsens

The chance of recovering a stolen vehicle has declined to little better than 50-50 and legislation is needed to aid law enforcement in combating the thieves, according to a report released last month by the National Institute of Justice.

The report attributes the poor recovery rate to the rising number of professional car thieves. "Vehicle theft is no longer a matter of juvenile joyriding," it said.

"This is increasingly becoming an adult crime involving gangs making enormous profits," said James K. Stewart, the director of NIJ. "About a million motor vehicles are stolen in this country every year, costing us an estimated \$3.5 billion."

People under age 18 accounted for 56 percent of the vehicle thieves in 1970, but only accounted for 40 percent in 1981, the report said. These statistics, coupled with the increasing number of thefts of trucks and commercial vehicles and declining recovery rates "are strong indicators that vehicle theft has become the province of professional criminals," Stewart said.

In 1970, 91 percent of stolen vehicles were passenger cars, 2 percent were trucks and 7 percent were motorcycles and other vehicles. But by 1981, autos accounted for only 75 percent; trucks and buses accounted for 14 percent and motorcycles and other vehicles for 11 percent.

At the same time, the recovery rate dropped to 55 percent from 84 percent, and the value of

unrecovered vehicles increased tenfold, to \$1.46 billion in 1980 from \$140 million in 1970.

The report, "Vehicle Theft Prevention Strategies," prepared for the NIJ by Abt Associates Inc. of Cambridge, Mass., called for legislation to combat a variety of professional car theft schemes.

"It is not enough to improve the locks and make the ignitions more secure," the report said. "The skilled thief can defeat these mechanisms in a matter of seconds."

The report described several types of common professional car theft, including increasing cases of owners cooperating with thieves in insurance fraud. Insurance companies have found increasing "thefts" of fictitious cars that had been insured solely

for fraudulent purposes. They have also found growing collusion between criminals and owners in theft or arson on actual vehicles just to collect insurance.

A state task force in Massachusetts reported that up to 25 percent of thefts there may be frauds. The National Automobile Theft Bureau estimated that 10 to 15 percent of reported vehicle thefts nationwide may be attempts to defraud insurance companies.

The report said experts agreed on the need to provide better identification for vehicles and their parts and for more control over titling and registration. They also called for improved record-keeping by all parties and better insurance company claims practices, it said.

## Houston improves record in auto death toll department

Although 275 traffic fatalities a year may sound rather grim, city officials in Houston are pleased with the figure, which represents the lowest number of traffic deaths in the city in at least six years. Credit for the decline has been given to the Houston Police Department's special speeding and drunken driving patrols, instituted in 1982.

Houston, the nation's fourth largest city, has been ranked worst in traffic deaths among cities of a million people or more for the past six years.

According to the National Safety Council, Houston had 320 traffic fatalities in 1983, an average of 20.3 deaths per 100,000 people. The 1983 figures were an improvement over 1982, when 392 people died. And there were fewer deaths that year than in 1981, when 422 lives were lost.

This year, just over 200 people have been killed so far, and police estimate 275 will die in traffic-related accidents before the year is out. Half of those accidents,

Continued on Page 15



## A hull of a job

British frogmen gather beneath the bow of the new \$170-million luxury liner Royal Princess, prior to starting a below-the-waterline security check. The liner was christened November 15 by the Princess of Wales.

Wide World Photo

## Age-limit battle pits NJ troopers against the brass

An internal dispute over mandatory retirement has begun to heat up in the New Jersey State Police, pitting younger troopers against older executives in an unpleasant legislative battle.

In 1983, New Jersey Attorney General Irwin I. Kimmelman ruled that mandatory retirement for law enforcement personnel under 70 was "invalid and unconstitutional."

Since then, according to Trooper Thomas Iskrzycki, president of the State Troopers Fraternal Association and chairman of the National Troopers Coalition, 42 state police executives have stayed on the job past age 55, bottling up advancement and forcing troopers to remain on patrol duty too long.

Largely due to Iskrzycki's lobbying efforts, a bill that would reinstate the age-55 retirement regulation and cap pension benefits after 30 years was introduced to the state legislature. The bill has been passed by the Assembly and is now in hearings in the State Senate.

The proposed bill has inspired the State Police executives to form their own lobbying coalition: State Police Against Age Discrimination, headed by Maj. Louis E. Grossi.

The organization's self-defined mission is "to defend ourselves against the prejudicial and bigoted statements of some persons involved in forcing us to

retire."

In a statement, Maj. Grossi and the affected officers say there is no agreement on the age at which a police officer becomes unfit to serve the public.

"Seventeen percent of all police departments have no mandatory retirement, and 43 percent use age 65," he said. "Congress called for bona fide occupational requirements to make sure that all police departments were physically and mentally fit to perform their duties. If this criteria is accepted, there is no need to retire police officers according to their age."

The executives argue that it is more efficient to keep mature, experienced officers in their jobs as long as possible. "The state of New Jersey would be wise in allowing members of the division to voluntarily remain past 55 years of age," Grossi said, "thereby insuring more for the taxpayer's money, while simultaneously minimizing the drain of talented police executives to private industry."

But Trooper Iskrzycki and his supporters have another view.

Unless something is done to create movement in the upper echelons of the State Police, Iskrzycki said, the public may one day see "old, toothless troopers patrolling the state highways in wheelchairs with sirens and flashing lights."

## Salt Lake City police team has 'race-ism' under control

The Salt Lake City Police Department has developed an innovative approach to controlling drag racing in the streets. Called "Race-A-Cop," it's based on a time-honored principle: if you can't beat 'em, join 'em.

Officer Brent Long, the director and originator of the project, said that in a place like Salt Lake City, famed for its broad, flat streets, it's almost inevitable that kids will race each other to "hustle girls and show off their cars."

"We said that's fine, that's healthy and wholesome, but let's do it on the race track where there are safety regulations," Long said.

It occurred to Long that instead of browbeating the kids into submission, the police department might challenge them to races on the local strip. He convinced Police Chief E. L. "Bud" Willoughby to go along with the idea, and in the summer of 1979 he obtained a cruiser that was being retired.

With the help of a pit crew consisting of officers Kevin Meik, Vic Versluis and Brickley Jones, all of whom volunteered their time, and hands and parts donated by local

businesses, the '75 Chevy Nova squad car was transformed into a hot rod, complete with mag wheels and a light bar.

"We built the car competitively," Long said, "and we win more than we lose." The car has a turbo 400 B&M Conversion automatic transmission with a 3500 stall-converter. Its best time for the quarter-mile is 11:56 seconds, and it has been clocked at a top speed of 121.96 miles per hour.

During the drag-racing season,

from May through October, the officers race local challengers every Wednesday night at the Bonneville Raceway in Salt Lake City. They also take the car to events in the area sponsored by the National Hot Rod Association.

Since the car went into service, the department has won five trophies, and the problem of drag racing on the streets has been significantly reduced.



The Salt Lake City PD's hot rod, on display at the IACP conference in October.



# People and Places

## Go vest, young man

Designer fashions for cops? Madison Avenue it may not be, but Edward Coppage Jr., president of the Coppage family's Progressive Apparel Inc., says sales of his company's police fashions have climbed to an annual yield of \$1 million this year.

The company makes bullet-proof windbreakers, vests, and even dress shirts out of the Du Pont fiber called Kevlar, which is the key ingredient in most soft body armor. The cost ranges from \$300 to \$2,000 per item.

Coppage won't sell his bullet-proof clothing to just anybody. A prospective buyer must submit a letter on company stationery, and Progressive Apparel will do a background check for legitimacy.

"Non-legitimate people won't answer all the questions we ask," Coppage said. "And of course, we are close to law enforcement, so we can pass things along."

## On the firing line

A Dallas city board has ruled that Dallas police officer Jack Ross acted improperly when he fatally shot a fleeing suspect August 18. The board has not yet voted on whether to reinstate Ross, who was fired by Police Chief Billy Prince after the shooting.

Dallas Police Association attorney Boh Gorsky had argued that the dismissal of Ross was unfair because Ross had followed state penal code guidelines, which allow police officers to shoot a fleeing suspect when the suspect has attacked another person.

The victim, 20-year-old Juan Reyes, had been observed by Ross kicking and beating another man in a robbery attempt. But the city Civil Service trial board rejected Ross's contention that the unarmed Reyes presented an immediate danger and therefore justified the use of deadly force.

Gorsky said that recently-instituted departmental policies prohibiting the shooting of fleeing suspects in property crimes were not in effect at the time of the Reyes shooting.

The shooting aggravated tan-

sions in the Hispanic community and intensified pressure on the police department to adopt a new policy on the use of deadly force.

City attorney Lynn Drake said Ross did not need to shoot Reyes in order to make an arrest. She said he had already radioed for assistance and could have provided a description of the suspect.

Although Chief Prince said he fired Ross August 20 for acting in violation of the state penal code guidelines, Ross's immediate supervisors, Capt. John Squire and Lieut. Triana Sanchez testified before the trial board that Ross had acted according to policy.

A Dallas County grand jury declined to indict Ross, but his two subsequent appeals to regain his job were denied by Prince and Assistant City Manager Levi Davis. Gorsky said he plans to file a lawsuit in Texas state court if the officer loses his final appeal to the city.

## Tails you lose

Hamilton County, Kan., Sheriff Thomas M. Lambeth lost this year's election by a toss of the coin, losing to Daniel Levens, who finished dead even with Lambeth in the November 6 election.

Levens, a Republican, and Lambeth, the Democratic incumbent, each polled 759 votes in the county of 2,514 residents. That forced the matter to the Hamilton County Commission. In accordance with state law, which calls for a lottery of some sort on such occasions, the coin toss was held.

Lambeth called "heads," but the quarter came up "tails."

## Fellowship in blue

Former Beaver Falls, Pa., police officer Douglas Frazier found out the strength of his friendships with his fellow officers only after he was forced to surrender his badge.

The 37-year-old officer had just been laid off from the Beaver Falls Police Department this fall when his motorcycle struck a bridge railing, throwing him over the railing into a ravine 30 feet below.

"He literally broke every bone in his body," said colleague Capt. Harry Pease. Frazier was left



## Home on the range

The nation's number-one rancher, President Reagan, takes time out from his chores to take part in a California Farm Bureau effort to prevent the theft of farm equipment. Helping Reagan I.D. his tractor are (l. to r.) Rich Morgantini of the Santa Barbara Farm Bureau, Henry Voss of the state farm bureau and Deputy Sheriff Art Knight.

paralyzed from the waist down, and with one leg amputated halfway up his thigh.

Members of the Beaver Falls force banded together to establish a fund for Frazier, which has so far been used to pay for repairs to his car. They also replaced a furnace in Frazier's home, and had a ramp built up the front steps to the first floor. To raise additional funds, the police have sponsored a concert and a fish-fry dinner.

Frazier says he was surprised at the degree of support he has received from his fellow officers. "I was really happy," he said. "I appreciate it and I've gotten closer to them."

## Sheriff dead at 49

Sheriff Edward F. Henneberry Jr. of Middlesex County, Mass., died November 18 after suffering a heart attack. The Middlesex sheriff since 1981, Henneberry was 49 years old.

Henneberry was elected sheriff after serving 15 years as a sheriff's deputy in Middlesex County. In 1974 he was named chief civil deputy, a position he held until he became sheriff.

He was president of the Massachusetts Sheriffs Association, a past president of the Massachusetts Deputy Sheriffs Association, and a member of the National Sheriffs Association.

He was also a lecturer in criminal justice at Framingham State College and a member of the advisory board on law and justice of the University of Lowell.

Henneberry will be temporarily succeeded by William Quealy, the special sheriff of Middlesex County and superintendent of the Billerica House of Correction. Quealy will serve until Gov. Michael S. Dukakis appoints a successor to serve the remainder of the six-year term.

## B as in busted

A driver who claimed he was speeding because he was trying to kill a bee has won an award for his arresting officer for offering the most creative excuse for speeding in Indiana.

The Police League of Indiana awarded the prize last month for the "most humorous excuse" to Sheriff's Lieut. Lee Hyland, who stopped the speeder.

Hyland said the driver claimed he was allergic to bees and was trying to get away from one. He even offered a dead bee as evidence — but Hyland said he noticed it had dust on its wings.

"The guy admitted he had been carrying around that bee in his pocket for months in case he ever got stopped," Hyland said.

The driver, who was not named, told the officer that the story had worked in the past. Hyland gave him a speeding ticket.

## Meese revisited

President Reagan has confirmed speculation that he plans to renominate Presidential Counsellor Edwin Meese 3d for U.S. Attorney General, but there may still be rough waters ahead for the beleaguered Meese.

Sen. Howard Metzenbaum (D-Ohio), who proved to be Meese's hane during Senate Judiciary hearings last spring, says he plans once again to contest the nomination, and will probably request more hearings on the matter.

A Metzenbaum aide, Roy Meyers, said the Senator "will most probably ask and urge that full hearings be reopened."

However, a Judiciary Committee member who wished to remain anonymous said Meese's chances of being approved by the panel appear to be excellent.

## The cat's meow

Teasing a police dog is a serious offense in England, where an 18-year-old youth, Larry O'Dowd, was recently arrested for saying "meow" to an officer's German Shepard. The officer arrested O'Dowd, saying he found the

### What They Are Saying

"Racism is as American as apple pie."

New York City Police Commissioner Benjamin Ward, responding to a House subcommittee's charge that racism is a factor in NYPD misconduct. (1:1)



# People and Places

language provocative, and the youth was found guilty in court of using abusive language. He was fined \$125.

The ruling brought a growl from Tom Torney, a member of Parliament, who said, "The next thing you know, somebody will be arrested for saying boo to a goose." Torney said he intends to write to the head of the British judiciary, Lord Haldham, to protest the sentence.

## Back at the helm

Police Chief Kenneth H. Medeiros of Bismarck, N.D., has been elected to a second term as chairman of the Commission on Accreditation for Law Enforcement Agencies.

Medeiros has been a member of the commission for five years and participated in the development of the standards and process for accreditation.

As Bismarck police chief, a position he has held since 1978, he administers a budget in excess of \$2 million, and manages a staff of 86. He is a 20-year veteran of the U.S. Marine Corps, from which he retired as Assistant Director of Law Enforcement.

His law enforcement experiences are varied, involving international, national and local agencies and ranging from investigation to computerized records system development. He holds a B.Sc. in criminal justice

from the University of Nebraska at Omaha and has done graduate work at George Washington University and the University of North Dakota.

Also elected were: Joan M. Hensler, to the newly-created commission office of vice chairman; Ira Harris, to treasurer, and Egon Bittner to a second term as secretary.

Hensler has served on the Rochester, N.Y., City Council for six years and is chairman of its Community Development Committee.

Harris is the Chicago Police Department's Deputy Superintendent for Community Relations. A member of the department for 29 years, he is the current president of the National Organization for Black Law Enforcement Executives.

Bittner is a professor of sociology at Brandeis University in Waltham, Mass. He has published extensive works on the law enforcement officer's role in society and served on the President's Commission on Law Enforcement and Administration of Justice from 1966 to 1967, and the Advisory Committee of the National Institute of Law Enforcement and Criminal Justice from 1978 to 1980.

## Athletic support

Professional athletes and coaches will do a little something extra for America's youth under a

new government program aimed at preventing drug abuse.

The program, announced last month by Federal Bureau of Investigation Director William H. Webster, is centered around the idea that athletes serve as role models for the nation's youth.

"Sports figures represent the No. 1 role model in this country," Webster said. "They can help lead the way out of what has become a national scourge."

Francis Mullen, director of the Drug Enforcement Administration, said pros and amateur athletes will be visiting schools with coaches and law enforcement officials to speak to kids of all ages, from kindergarten to college. The athletes will be briefed on "how to detect drug use, how to prevent it and who to contact when they see it," Mullen said.

One volunteer athlete is Tracie Ruiz, who trained 11 years to win two Olympic gold medals in synchronized swimming. She said she plans to tell the kids that if any of the Olympic athletes "had spent 11 seconds on drugs we would never have made it."

The program's goal is to reduce youth drug and alcohol abuse by 50 to 75 percent in five years.

## The great escape

The "incredible dedication" of Seattle banker Michael Fleming and University of Washington police officer Connie Heimhigner led to the capture of a convicted

forger who faked papers to escape from the New Hampshire State Prison.

The convict, Edgar Berube, was out of prison for more than a month before the prison administration realized it had been duped.

University of Washington police Capt. Roy Kleiven said school investigators began looking for someone they knew as Peter T. Kern (Berube's new alias) after personal credit cards were reported missing.

In addition to stealing credit cards, Berube, under the name of Peter T. Kern, had "forged, bounced or manipulated" \$5,150 from Rainier Bank, at which he opened an account using forged letters of power of attorney from a Boston law firm.

Rainier Bank vice president Fleming called the law firm, where lawyer John England recognized the documents as forgeries because of an incorrect zip code.

It was a serious slip for Berube. Investigators noted that the same incorrect zip code had appeared on a similar document during Berube's prosecution in another case, according to Merrimack County Attorney Michael Johnson.

Johnson recalled that when England called him and told him that he recognized the seal as Berube's he couldn't believe it. "I told him that this couldn't be because Edgar Berube is in prison," Johnson said.

But in checking with the prison authorities, Johnson learned that Berube had been released on Oct.

2 on a forged court order that allowed him to attend a drug rehabilitation program.

Meanwhile, Det. Heimhigner realized that the credit card and electronic bank thief she had been looking for under the name of Kern matched the description of Berube exactly. He was arrested shortly thereafter in Boulder, Colo.

## Happy landings

"Sorry to drop in on you like this," were the first words of Strongsville, Ohio, Sgt. Frank J. Piskur, after the plane he was piloting crash-landed in the woods next to a Columbia Township home.

In addition to Piskur, the plane was carrying Strongsville Police Chief Frank D. Papp, Broadview Heights Police Chief David Krieger, and North Royalton Capt. Richard Phillips. Phillips was the only one injured in the crash, which occurred a minute after the plane took off from Strongsville Airport.

Piskur, who owned the plane and was off-duty at the time, had offered to take the two chiefs and the captain up to observe a police training exercise in which 35 officers were to sweep through a woods on foot in a practice missing-person search — one that almost became real, Strongsville Capt. Donald Hawk said.



## Of church and state

Sheriff Eugene Coon (l.) of Allegheny County, Pa., is turned away from Trinity Lutheran Church in Clairton by supporters of the Rev. D. Douglas Roth. Rev. Roth had been living inside the church after being defrocked by the local bishop and stripped of his job as pastor because of his outspoken support for local unemployed steelworkers. He has been charged with civil contempt of court for refusing to leave the church post.

Wide World Photo

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**Editor** Peter Dodenhoff  
**Operations** Marie Rosen  
**Staff Writer** Jennifer Browdy  
**Subscriptions** Gerard Paulino

**Contributing Writers:** Ordway P. Burden, Jonah Trenchwasser

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# Northeast fugitives hit with big police FIST

Half of the 3,309 fugitives captured in a recent ten-week, eight-state sweep by Federal, state and local law enforcement agents were back on the streets within days after their arrest, according to U.S. Marshals Service director Stanley E. Morris.

The operation, which ended November 20, was conducted under the Justice Department's Fugitive Investigation Strike Team (FIST), which has made six similar sweeps in other areas of the country. This operation, which covered the states of New York, New Jersey, Connecticut, Delaware, Pennsylvania, Maryland, Massachusetts and Rhode Island, was the largest such round-up since the program was started three years ago.

Those arrested had a combined criminal history of 12,440 felonies, or an average of 3.76 convictions each, Morris said at a New York City news conference at the conclusion of the operation. Fifty-three percent of the arrestees were considered "armed and dangerous."

Morris said the fugitives had been sought on 5,000 charges: 63 for murder or manslaughter, 103 for rape, 693 for narcotics violations, 848 for robbery, 1,016 for theft, and others.

Most of the arrests were accomplished "the old-fashioned way," Morris said, by questioning informants, associates and neighbors. About 10 percent involved undercover approaches such as the tried-and-true "Fist Bonded Delivery Service" sting, which sent notices to the last known addresses of some fugitives, advising them that large package worth \$2,000 of undescribed goods were waiting to be delivered to them.

Each fugitive was informed that he would have to sign a receipt to receive his package and was given a number to call to arrange delivery. After the "Brooklyn Bridge Delivery Service" truck arrived, the fugitive was asked to sign a receipt, and once his identity was verified, he

was arrested. About 65 fugitives were caught in this manner, Morris said.

In another scam, carried out in Connecticut, fugitives were contacted and told they had won a radio station contest, and would be given a limousine tour of Hartford and free tickets to a rock concert. On the day of the concert, each of the seven fugitives who responded was taken for a limo ride — right to the police station.

## Judges won't dampen efforts

At the news conference, U.S. Attorney General William French Smith hailed the operation as "the largest and most successful fugitive manhunt in United States history," and added that "The fact that there are judges who are too lenient will in no way dampen our efforts."

Of the 156 people arrested on Federal charges, Morris said 82 were released almost immediately. Statistics were not available on the thousands of fugitives arrested on state and local charges, but Morris said experience indicated that half would be quickly freed.

Morris said that for the first time, the Marshals Service plans to follow up what happened to the captured fugitives. "We went to see what does happen, to what extent jails, judges or laws are the problem," he said. "We will track these arrests to evaluate the ultimate success of the program."

Since the FIST program was instituted in 1981, 7,000 fugitives have been seized. However, Morris said, this number is dwarfed by the 215,000 felony fugitives who remain at large nationwide.

## Lack of resources a problem

Attorney General Smith, noting that 95 percent of those arrested in the latest sweep were wanted on state or local charges, said that "many state and local law enforcement agencies are unable to actively seek fugitives simply due to a lack of resources."

Richard J. Condon, Commissioner of the New York State Division of Criminal Justice Services and a participant in the



U.S. Marshals and Federal task force members take Arthur Stewart (3d from left) into custody last month during the 10-week FIST operation.

news conference, said that many fugitives "are only fugitives in the sense that they didn't show up in court."

"They may be living in the same place they were living before," Condon said, "but law enforcement lacks the resources to even find out."

Morris agreed, saying that only 100 of the 3,309 fugitives were captured outside the jurisdiction in which they were wanted.

The Federal Government picked up the \$2.5-million tab for the operation. Half of the 223 participating officers were from state and local law enforcement agencies, and the other half were contributed by the Marshals Service, which also paid all overtime compensation.

The Federal Government also made all the participating officers deputy marshals, allowing them to cross state lines in pursuit of the fugitives.



Against a backdrop of wanted posters, U.S. Attorney General William French Smith and Marshals Service director Stanley E. Morris hold a post-investigation news conference.

## DWI roadblocks win approval from top New York State court

Temporary roadblocks set up by police to detect drunken drivers were ruled constitutional by New York state's highest court last month.

The State Court of Appeals, in a 7-to-0 decision, upheld the conviction of a Genesee County man who had been arrested in 1982 after he was stopped at a sobriety checkpoint authorized by Genesee County Sheriff W. Douglas Call.

"The checkpoint procedure in question is a valuable component of the program to control drunken driving," wrote Judge Bernard S. Meyer for the court. "We conclude that it is a sufficiently productive mechanism to justify the minimal intrusion involved."

In eight previous rulings in other states, judges had split

evenly on the issue of the constitutionality of sobriety checkpoints. Judges in New Jersey, Oregon, Kansas and Maryland had upheld convictions based on checkpoint stops, while courts in Oklahoma, Arizona, Illinois and Massachusetts had overturned convictions.

New York Assistant Attorney General Peter Dooley said the successful appeals in roadblock cases were generally based on narrow technical grounds, not on the constitutionality of roadblocks.

In the New York case, the court knocked down an argument used frequently by opponents of sobriety checkpoints: that the roadblocks are not effective because they have resulted in few arrests. The Court of Appeals said the number of arrests does

not matter.

Judge Meyer wrote, "The state is entitled in the interest of public safety to bring all available resources to bear, without having to spell out that exact efficiency coefficient of each component."

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# Kansas FOP, city manager lock horns over overtime pay

Money is the issue in Independence City, Kan., where the local Fraternal Order of Police lodge has just filed a lawsuit against the city, charging that officers do not receive adequate overtime compensation.

At the same time, the city rescinded the lodge's authority to bargain for the department with City Manager Keith Wilson Jr.

The lawsuit contends that police are scheduled to work 42½ hours each week but are paid for 40 hours of work, in violation of a city ordinance that provides for overtime pay past 40 hours of work per week.

Wilson denied that the issue was one of major concern. "This is more of a nuisance than a real issue," he said.

Lodge members have said they don't trust Wilson in negotiations. "He makes promises but never follows through," said Officer Chuck Harris, a former FOP president.

Harris may have been referring to Wilson's recent promise to try to raise the police department's salary levels, which ranked near the bottom in a recent survey of area departments.

The City Council placed a referendum on the November ballot to establish a half-cent

transportation sales tax, which was expected to raise \$3.5 million for police pay raises and parks and recreation projects.

The FOP lodge campaigned strongly against the tax, and it was soundly rejected by voters.

"The officers of the lodge really shot themselves in the foot on that one," Wilson said, contending that money to raise police wages is not available without the sales tax.

The dispute between police department and City Council is not over yet. "There's not much open talk about it around here," said Maj. Shannon Craven, "But things are coming to a head."

## No laughing matter:

# New York cops are cracking up

The New York City Police Department, which likes to boast that it is better at most things than other departments, has found another area of prowess: wrecking squad cars. NYPD officers have been wrecking an average of one squad car a day during the past year, and an average of eight per day are involved in accidents of some kind.

Police officials said that of the department's 4,040 cruisers, 318 have been totalled so far this year.

Each car costs \$11,000 brand new. Last year, 279 cars were destroyed during the same period.

According to Deputy Police Commissioner Alice McGillion, the department is predicting that about 2,960 squad cars will be involved in accidents by the end of this year.

McGillion blamed the high number of wrecks in part on the fact that about a third of the patrol force is made up of younger

officers, who have less than five years experience on the job and at the wheel. In addition, she said, squad cars are designed to collapse easily in the front to prevent serious injury to the officers.

McGillion said the department is looking at new programs to better educate officers about day-to-day driving and high-speed chases. In the meantime, police department administrators are planning to ask for additional funds to purchase more squad cars.



## Cheating the hangman

Ex-convicts stage an anti-capital punishment demonstration outside the Parliament building in Ottawa, Canada, last month. Pressure has been building in recent weeks to reintroduce the death penalty in Canada.

Wide World Photo

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# Report rips NYPD on racism, misconduct

Continued from Page 1

the City Club of New York last month, "and certainly most of the racism that has occurred in this country has been against blacks. I am not going to defend racism. But I cannot stand still and let them smear the entire police department and let them say that they are all racist."

Saying that "racism is as American as apple pie," Ward said he had encountered discrimination himself as a young officer. But, he said, there is no systematic racism "as a public policy" in the NYPD, and no mayor or police commissioner as far back as he could remember had ever condoned racism in the department.

"That is not the same thing as saying that racism did not exist in every one of our social institutions in this city," Ward said, adding that public agencies and institutions throughout the nation reflect, to some extent, the racism of society at large.

Ward criticized the report for recounting allegations of police brutality without investigating the charges. He accused the subcommittee of using "faulty logic" for assuming that, because some people made allegations, "therefore the police must be guilty of racism."

The report cited the testimonies of several black of-

ficers who came forward at the hearings to complain of improper treatment at the hands of white colleagues.

"Four police officers and one former officer came forward to allege beatings or other abuse at the hands of white officers," the report said. Their testimony, the report continued, "speaks of a disturbing degree of hostility within the NYPD... which would seem to be racially based. If black and white police officers are adversaries... claims by civilian minorities of inordinate aggression at the hands of white police officers become that much more credible."

Mayor Edward Koch, too, criticized the report for using a few examples of racism to make broad statements about the department.

"By avoiding inquiry into the several millions of contacts which annually take place between citizens and the police, the subcommittee unfortunately has done more to muddy than to clear the waters on this issue," he said.

"I will stand behind police officers when they are right and condemn them when they are wrong," Koch continued. "I believe that the record establishes that charges of systemic police brutality are false. Racism of any type has not and will not be tolerated by this

administration."

The report's criticism of the Policemen's Benevolent Association provoked a sharp retort from PBA spokesmen. Citing the PBA's refusal to acknowledge the needs of black officers, the report said "Many black officers resent PBA's use of their dues to finance positions which most blacks oppose," such as the vigorous PBA campaign against the establishment of the Civilian Complaint Review Board.

"The PBA is apparently oblivious to the concerns of a number of its members (former NYPD Guardian President John Cousar dryly describes it as 'taxation without representation')," the report said, "and appears to answer to no one, including the United States Congress."

PBA spokesman Denis Sheehan responded in kind, saying, "It should have been readily apparent to anyone who witnessed those so-called hearings that it was the committee's intention to besmirch the reputation of police officers in this city. The conclusions of their report," he continued, "were clearly preordained by the tone and tenor of their hearings and were not founded in reality."

Leaders of New York City's black community reacted more favorably to the report. The Rev. Calvin Butts of the Abyssinian Baptist Church in Harlem, who

had been active in bringing the subcommittee to New York, said he was pleased with the outcome of the hearings. But, he said, the city administration should have acted sooner, and without Congressional prompting, to relieve racial problems within the police department.

"The thing that really gets me," he said, "is that our Mayor had an opportunity a little more than a year ago to listen to the people of this city talk about the abuses of the Police Department. He refused, he scoffed at us, he said that it didn't exist. If he had listened then, Eleanor Bumpurs would be alive today."

Rev. Butts was referring to a black woman fatally shot last month by police officers who had been called to an eviction dispute at a city housing project. She was shot after allegedly lunging at the officers with a knife. The case is under grand jury investigation.

The report recommended that the NYPD "continue and expand its affirmative action hiring and recruiting program" and that it reexamine its screening and training procedures for officers with an eye toward improving racial relations.

It also suggested that the Civilian Complaint Review Board be made more independent of the police department, a recommendation that has been supported

by Commissioner Ward but opposed by Mayor Koch and the Patrolmen's Benevolent Association.

In addition, the report recommended that the law allowing Federal prosecution for police misconduct (18 U.S.C. §242) be revised and the penalties for police misconduct be increased.

The law in question, the report said, makes it a Federal offense "for persons acting under color of law (including police officers) to 'willfully' 1) deprive any person of a right, privilege, or immunity protected by the Constitution or laws of the United States or 2) subject any person to different punishment, pain or penalty on account of that person's color."

The report said that the "complex proof requirements" needed to ascertain that the defendant acted "willfully" have "led to jury confusion."

The subcommittee report also said that the penalties for violating the provision (a fine of \$1,000 and a prison term of one year) "are relatively low... Conduct which constitutes assault resulting in serious bodily injury and carries a Federal penalty of 10 years imprisonment, would be punishable with only a year in prison if carried out under color of law. These penalties should be adjusted to be more reflective of the seriousness of the crime," it said.

## Middle-class whites also claim NYPD brutality

The issue of police brutality in the New York City Police Department was raised on yet another front last month when the city's Commission on Human Rights released a report documenting alleged police misconduct in cases involving "some white residents of Staten Island."

The Human Rights Commission began interviewing complainants at the request of Thomas DeFeo, founder of an 11-member group called Citizens Against Police Injustice.

The complainants were "atypical," the report said, because they stem from "a group of self-defined 'law-and-order' middle class blue-collar whites... who include among their ranks law enforcement of-

ficers... It is the firm belief of those interviewed that they are victims of the system."

A complaint typical of those recorded in the report is that of Rose Savino, a white woman in her forties, who claimed the police department responded with indifference to a series of harassment incidents that culminated in the shooting of her son by a neighbor. In another incident, a woman claimed she was physically abused by a police officer after she unknowingly committed a traffic infraction.

The report qualified the claims it presented by saying its purpose "was not to probe the truth or falsity of these allegations." In a letter that accompanied the 55-page report to the office of

Police Commissioner Benjamin Ward, commission chairman Marcella Maxwell said the commission's objective in preparing the report was to improve communication between the community and the police department on Staten Island, the city's least populous borough.

Commissioner Ward, in a letter to Maxwell, responded that he was already meeting with community groups toward "the goal of improving police-community relations."

"After my meeting with Citizens Against Police Injustice," Ward said, "Mr. DeFeo, leader of the group, was quoted on Channel 11 as saying of me: 'He's given us quite a bit of satisfaction.'"

Ward commented that most of the incidents recorded in the report are dated, and that "the only one that arose during 1984 is still under active investigation within the department... Although most of these incidents appear to have been investigated previously, I will have my Chief of Inspection Services evaluate the material contained in [the report] to see if further investigation is required, he said.

One of the major complaints raised in the report was the inadequacy of the Civilian Complaint Review Board (CCRB), which was also criticized in a separate report on police misconduct released last month by the House Subcommittee on Criminal Justice (see story above).

The Human Rights Commission's report said that all 11 members of Citizens Against Police Injustice "have failed to get anywhere with complaints registered with the Civilian Complaint Review Board... The group's opinions of the Civilian Complaint Review Board were unanimous in what they claimed was the Board's utter biases in the investigation of complaints against the police."

The report cited one complainant's assertion that "an objective investigation is impossible when the entire Staten Island law enforcement establishment and the Civilian Complaint Review Board appear to be in collusion in order to protect each other."



Commissioner Ward

By contrast, the Congressional report praised several steps taken in the last year by Commissioner Ward to improve the CCRB, including the formation of a CCRB review committee and the assignment of additional personnel to the board.

Among the positive developments, the report said, is a policy change that puts civilians, rather than uniformed police personnel, at the intake desk, receiving complaints and handling cancellation of those judged less serious.

"This is good both because intake and conciliation are areas in which civilians may be preferable

Continued on Page 15

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# Hot pursuit curries favor with appeals bench

In the last issue of Law Enforcement News, we examined a case where a U.S. Court of Appeals held that warrantless entry (be it actual or constructive entry) into a home to effect an arrest is improper in the absence of ex-

peals has held that "hot" or "fresh" pursuit of a defendant is one of the exigent circumstances that will allow warrantless entry into a home in order to collar your defendant.

## The Facts of the Case

At 3:30 one morning, one police Sgt. Jones clocked an automobile traveling at 74 miles per hour in a 55 mile-an-hour zone. Sgt. Jones pursued the vehicle, turning on his siren and red flashing lights, in an attempt to stop the car. The automobile then increased its speed to over 90 miles per hour. The sergeant radioed for assistance and followed the car into a trailer park, turning off his

lights because of the lateness of the hour and so as not to alert the occupants of the automobile that the long arm of the law was so near at hand.

Sgt. Jones parked behind the suspect car and observed its occupants exiting the vehicle as he got out of his squad car. He then ordered the five men to stop. However, Mark Blake, who had been in the driver's seat, disregarded the officer and entered a nearby trailer that was his home. Sgt. Jones then went to the door of the mobile home and ordered Blake to come outside. When no response was forthcoming, Jones entered the mobile home and arrested Blake for resisting a police officer. The officer then handcuffed Blake and took him back outside.

Sgt. Jones proceeded to examine the registration of the car, which was Blake's, and asked the group who had been driving. Jones noticed an open whiskey bottle in the car and the smell of alcohol on Blake's breath. A chemical test administered to the defendant registered an .18 percent blood alcohol content, and Blake was charged with operating a motor vehicle while intoxicated.

The trial court granted the

defendant's motion to suppress the breath test results and all other evidence obtained after his arrest, on the ground that Sgt. Jones entered private property without a warrant or justification in order to effect Blake's arrest. When You're Hot, You're Hot

In reversing the lower court's decision, the Indiana Court of Appeals ruled that "A warrantless in-home arrest is not valid without probable cause and exigent circumstances making it impractical to first procure an arrest warrant. *Harrison v. State*, (1981) 424 N.E. 2d 1065. Traditionally, exigent circumstances have been found to exist when '(1) a suspect is fleeing or likely to take flight to escape arrest or... (2) in cases involving hot pursuit or movable vehicles.' *Pawloski v. State*, (1978) 350 N.E. 2d 1230, 1233...."

As the court further noted in its ruling, "In the present case Jones was in 'immediate and continuous pursuit... from the scene of the crime.' *Welsh v. Wisconsin*, which began as a speeding violation and developed into the jailable offense of resisting law enforcement.... Jones had good reason to believe Blake and the remaining occupants of the car would continue their flight if he

left the site to procure an arrest warrant. Therefore, Jones' pursuit of Blake into his home in order to apprehend him without a warrant, based on probable cause to believe he was fleeing law enforcement, was justified. See *Banks v. State*, (1976) 265 Ind. 71, 351 N.E. 2d 4."

The general rule in these matters was clearly defined in the court's holding as follows:

"A police officer in continuous pursuit of a perpetrator of a crime committed in the officer's presence, be it a felony or misdemeanor, must be allowed to follow the suspect into a private place, or the suspect's home if he chooses to flee there, and effect the arrest without a warrant. A contrary rule would encourage flight to avoid apprehension and identification, even at dangerously high speeds as here, with the natural destruction of evidence accomplished while the officer interrupted his pursuit to obtain a warrant."

(*State v. Blake*; Indiana Court of Appeals, 1st Dist., No. 1-284 A 59).

## Trick or Treat

Halloween may have been over a month ago, but the Washington State Supreme Court recently

Continued on Page 16



## Supreme Court Briefs

Jonah Triebwasser

igent circumstances (LEN, November 26, U.S. v. Morgan). Now, the Indiana Court of Ap-

## The welcome mat of agency cooperation

Not so long ago, most law enforcement agencies jealously protected their turf and guarded their rights and powers against intrusion by other agencies. Happily, there is a welcome trend toward much greater cooperation, fewer rivalries and improved efficiency.

per diem pay, special overtime pay, travel expenses, and use of a Federal Government vehicle. They also get access to some grand jury and wiretap information that formerly was barred to them.

Veich also noted that a majority of the states return the Federal favor by granting peace officer

Continued on Page 16



## Burden's Beat

Ordway P. Burden

In a number of major cities, task forces composed of local police, Federal law enforcement personnel and sometimes state police investigators are bringing their combined knowledge and skills to bear on particular crimes. In New York, for example, city police and the FBI are pooling their resources in task forces on bank robbery, narcotics, terrorism and organized crime. In other cities, the Drug Enforcement Administration, FBI and local police have formed task forces to deal with the drug traffic.

These task forces go beyond mere cooperation. Often local police officers are sworn in as deputy U.S. marshals so that they can execute warrants and make arrests for Federal crimes. The obvious advantage is that each investigator has roughly equal authority, and so a great deal of duplication of effort is eliminated.

Among other things, the unified task force eases inter-agency rivalries. "It no longer becomes a situation of which agency made the major breakthrough or the arrest," said Robert R. Fuesel, president of the Federal Criminal Investigators Association, "so infighting generally ends."

FCIA's Congressional affairs officer, Mickey Veich, points out that there are some direct benefits to local officers when they're sworn in as deputy marshals besides their enhanced powers. He noted that they enjoy

## Flashback



## 1956: Drunk trunk

Long before sobriety testing became as simple as "blowing up a balloon," Lieut. Robert F. Borkenstein of the Indiana State Police was working on the problem of combating drunken driving. Borkenstein invented the first Breathalyzer, which filled up almost the entire trunk of a police cruiser. He is seen here showing off his creation to Trooper Jay Romack.

Wide World Photo



Koch:

## Calling out the cavalry to combat drug traffic

By Edward I. Koch

The utterly desperate problem of the narcotics traffic in American cities is an especially frightening aspect of our national life. If something is not done shortly, and decisively done, to confront this plague with weapons and imagination adequate to the crisis, we shall see the human, the social and the economic costs mount beyond calculation.

For five months I have been relentlessly urging an unprecedented initiative. We must take the truly radical step of committing our Armed Forces directly against the tide of illicit narcotics overwhelming our borders.

The appalling avalanche of four metric tons of heroin, 48 metric tons of cocaine and 12,000 metric tons of marijuana are smuggled, largely with impunity, into this country each year. The aggregate estimated street value of all three categories of this contraband is \$80 billion. Furthermore, current import trends are dramatically rising. About 70 percent more cocaine, for example, entered the United States in 1983 than in 1981.

Let me give you some general indicators of how this massive drug influx is affecting New York City. The supply of hard drugs had swelled so dramatically in New York City by the end of 1983 that the street price for both heroin and cocaine fell by 25 percent while purity levels rose. From 1980 to 1983 the number of state prison inmates in New York State who are heroin addicts almost doubled, from 7,600 to 13,000 and the percentage of the entire state prison population addicted to some kind of hard drug now stands at the astonishing rate of 62 percent.

If the current trends continue, state officials estimate that the number of heroin addicts in the city will rise to 208,300 by 1988, and the number of cocaine and other hard drug abusers will increase to 507,900 by that year.

The volume of crime associated with narcotics addiction is massive. The correlation of high crime rates and broad scale drug addiction is undeniable.

Stopping the hard drug trade is quite plainly the single most compelling imperative if serious crime is to be systematically and permanently reduced in this country. Beyond the human costs, the economic burden is staggering. New York State recently announced a prison construction program costing \$700 million, and the City is committed to its own jail expansion effort that will cost \$300 million. Think of it, a billion dollars in just one state for capital investment in places to lock away addicts.

But consider the collateral costs to society over one year's time of the typical drug addict: \$26,800 in thefts, \$21,000 in correctional expenses, \$7,000 in welfare costs, \$3,300 for law enforcement arrest expenditures and \$2,840 for treatment programs. This amounts to over \$61,000 per addict each year in New York. This translates into billions more in losses for the public in New York.

It is not New York's problem alone, but Chicago's, Miami's, Los Angeles', Philadelphia's, and all the towns and villages within our borders. Chicago, for example, is described by Federal intelligence sources as not a major entry point for narcotics, but as a "domestic distribution hub" for narcotics that enter at other places.

All this misery, injury and cost to our families, our neighborhoods and our nation, ought to lead you, as it has me, to ask what in God's name is being done to stop it. The answer, sad to say, is very little.

Our police and prosecutors have labored heroically to raise dramatically the level of felony arrests, indictments and convictions for violation of our narcotics law. But the narcotics problem cannot be eradicated by pursuing only a strategy of investigating and pro-

secuting the so-called kingpins of the trade, or disrupting the visible street traffic by uniformed police patrols. The market, in the physical sense, as well as the transactional and financial, must be destroyed. That can be done only by systematic and relentless interdiction of the contraband before it crosses the nation's borders. It is therefore critical that the Federal Government commit the resources to stop the flow of drugs on the high seas and at our land and air ports of entry.

Now, some will insist that crime control and police expenses are a local and not a national obligation. But it must be frankly acknowledged that the narcotics plague in America is a failure exclusively of the Customs, diplomatic and international policing functions of the national government.

It is appropriate to invoke the metaphor of war. The people of many cities across America are in a state of open and protracted hostilities with the poison of heroin and cocaine. These substances do not originate here, but have penetrated our borders with the impact and misery of a foreign invasion. Repelling foreign invasion is the primary responsibility of the Federal government. It cannot morally restrict its efforts to the prosecution of major racketeers whose removal from drug traffic networks leads only to the filling of leadership voids by others willing to risk prison for access to the huge profits of the

trade. Nor can it discharge its moral obligation only through diplomatic efforts to induce foreign governments to eradicate illicit drugs at the source of the trade.

The most essential point to be made about the Federal role in stopping the drug traffic is that it has broadly failed to interdict the flow of heroin and cocaine as it crosses the borders of this nation. According to a recent Government Accounting Office report, all Federal agencies combined seize only 16 percent of the marijuana, and less than 10 percent of the heroin and cocaine that comes into the country each year. The record of the United States Customs Service is particularly dismal, reaching, in fiscal year 1982 for example, only 3.2 percent of the heroin traffic. The head of the Drug Enforcement Administration, the primary anti-drug agency in the nation, stated recently that in order to effectively curtail the flow of illicit drugs into America, he would need 40,000 agents. He has in fact only 1,900 worldwide.

The Coast Guard has only seven to ten boats patrolling the entire Southeastern coast and Gulf of Mexico, although Caribbean waters are the principal channel through which the bulk of illegal cocaine and marijuana shipments enter our

Continued on Page 17

Edward I. Koch is Mayor of New York City. This article is excerpted from remarks delivered to the Chicago Crime Commission on October 26.

evelyn:

## Subtle forms of violence beyond the pale of law

By "evelyn"

Toys and games that foster pleasure through killing are formidable enemies of law. The upswing in crime during the 70's should have lent some insight into the causes of crime's proliferation. Instead we've developed aberrant thought processes.

Last year a major toy company produced and marketed a talking doll whose vocabulary included the words "Kill Mommy. Kill Mommy!" After being taken off the market, the doll was excused as (1) a sick prank, or a foreign language doll that only sounded as if it were saying "Kill Mommy." No one thought it important enough to investigate further in spite of the bizarre and potentially dangerous message the doll carried. A good way to ruin a country is by getting to its young.

This year, major toy companies have produced violence-promoting robot figures that are likely to be the new Christmas-giving mania. One robot is named Cy-Kill. Another, named Deception, is truly deceptive. It starts out looking like a tape recorder, but unfolds to form a robot that spouts, "Your screams and cries are music to my ears." There is even a line of robots called Masters of the Universe, reminiscent of a Hitlerian credo. This year's season of "peace on earth, good will to men" will

give police a new enemy — toys that champion violence. Such violence is being programmed, packaged and sold throughout America. The public good is blithely ignored by lawmakers.

Violence masquerading as recreation or playthings is by no means the exclusive province of children, however. In Dallas, a live video game called Planet Photon is the rage. In 10,000 square feet of warehouse space, grown men, 30 to 40 years old, form two teams comprised of ten men each, equipped with helmets and 18-pound power packs. Stalking each other with phaser guns, they score points through symbolic killing. At \$3.50 per game per person, the revenue from this promotion of killing for fun totals \$20,000 a week.

In a letter to Business Week (10/29/84), Robert F. Gurnsey III, the president of National Survival Games Inc., another institutionalized form of recreational violence, says of the CO<sub>2</sub> gun employed in his game: "We have never claimed anywhere at anytime that CO<sub>2</sub> guns are unlikely to cause injury." He goes on to say that the Official Survival Game Manual has a chapter dedicated to safety

Continued on Page 17

"evelyn" is the nom de plume of a former reporter for a now-defunct police newspaper.





Five down and more than 17,000 to go. After the first year of operation, that's the way the scorecard shapes up for the Commission on Accreditation for Law Enforcement Agencies. But while the raw numbers may appear somewhat intimidating, they don't faze the commission's executive director, Jim Cotter.

Cotter, a former Federal Bureau of Investigation official who was coaxed out of retirement to head the CALEA staff, prefers to look at a more comforting set of figures. For instance, in the commission's first year, some 175 police agencies submitted applications for the accreditation process, from the tiny Mt. Dora, Fla., Police Department — the first agency in the country to be accredited — to the sprawling Houston, Tex., Police Department, which is currently in the midst of the self-assessment stage.

Among the first group of applicants there were also two agencies from California, a modestly significant statistic given the fact that the California Police Chiefs Association has been quite vocal in its opposition to the idea of a national organization affixing its seal of approval to local agencies. The outcry was such that the In-

ternational Association of Chiefs of Police, one of CALEA's four founding organizations, was prompted to amend its original resolution in support of accreditation, deleting any specific reference to CALEA in the process.

While the move was disappointing to Cotter, he found it understandable in light of current political realities. More importantly, however, the uproar over his efforts hasn't dimmed his enthusiasm for what he sees as a genuine step toward realizing the elusive goal of police professionalism. He finds solace in the feedback he gets from those agencies that have undergone the accreditation process, citing in particular the comments of Chief Neil Behan of Baltimore County, Md., who said: "In accrediting this department, the commission challenges us to continue to be excellent. That's healthy and desirable, and anything else is unacceptable."

One of the more common objections to what the accreditation commission is endeavoring to do is that establishing police standards should be a matter of local control — and on this point they'll get no argument from Cotter. "We're not telling [a] chief of police how to run

his department," he notes. "We're saying that if you perform this function in law enforcement, then you should have standards relating to those functions." Or, as he put it slightly different terms, "The standards say 'what to' and not 'how to.'"

Cotter, who recently announced his intention to step down as executive director of CALEA and become its director of development, would rather point to the benefits of agency accreditation than defend against specious objections raised by territorially-minded police chiefs. Among the benefits he cites are the improved bonds forged with the community, the improved officer performance that can be realized, and, in case those are not enough to convince skeptics, the very real monetary benefit of possibly reducing liability insurance premiums and court judgments.

Getting CALEA's seal of approval is not easy, however. Cotter points out that in Baltimore County's case, it took "a tremendous effort." But for any chief with a germ of interest, talking to Jim Cotter should be all the convincing that's needed. A more voluble and persuasive spokesman for CALEA might be hard to find.

**'Law enforcement is reactive, but the intent of accreditation is to make it proactive. You're giving the officer a better understanding of exactly what you expect from him.'**

## James V. Cotter

**Executive Director of the Commission on Accreditation for Law Enforcement Agencies**



Law Enforcement News interview  
by Peter Dodenhoff

**LAW ENFORCEMENT NEWS:** At the apparent instigation of the California Police Chiefs Association, the International Association of Chiefs of Police recently amended its original resolution in support of the accreditation commission, leaving out any specific reference to the commission. Do you see the new resolution as any sort of waffling on IACP's part?

**COTTER:** Well, it's our understanding that the IACP position statement was an action taken because of this pressure from California, and it was an expedient way to make accreditation a non-issue as far as the Executive Committee was concerned.

**LEN:** Does that leave you with less in the way of formal support from the police chiefs than you might have preferred?

**COTTER:** I'm disappointed that what they did, in effect, was take out of their position statement a reference to the fact that there exists a national commission. But the position itself says in effect that the concept of accreditation is good and if you prefer that it be handled other than at a national level, then so be it. In a way it's an acquiescence, and as I said, I'm disappointed that they did it. I can understand, however, in the tenor of the times why they took that action.

**LEN:** Have you gotten any private reassurance from IACP officials or staff that they are in fact not equivocating on the issue?

**COTTER:** From individuals, yes. There's no way, of course, that the Board of Officers or the Executive Committee of IACP would take other than the position that has been publicized. But the reason why I'm encouraged is that the accreditation program is only a year old; in essence, we went operational in October 1983. And we predicted that in the first year, for example, we'd have 180 agencies that would submit an application to seriously take a look at accreditation; 175 did. Now that was strictly a guesstimate in the beginning, but it was also carefully analyzed in the sense that looking around at any program of this kind that's new and different, it's going to take time for the people to accept it.

But as you suggest, in private conversations, there is very definitely an assurance. There's even an assurance from California. The fact that they passed a resolution and threatened to withdraw from the IACP if they didn't take a stand on certain issues, one of which was accreditation, was an action that I can't explain. But many individuals from California have indicated that there is no way they would withdraw from the IACP, and that California will realize the value of accreditation later on down the line. We would expect that they too would begin to participate in larger numbers.

**LEN:** Do you have any applicants from California cur-

rently in the fold?

**COTTER:** Oh, sure. We have two from California out of the 175 in the first year, and as I said, there are others that are inquiring and asking about standards and so on. The states that are really participating are those that have come to the fore in recent years in forward-thinking, progressive law enforcement — Florida, Illinois, Georgia, Ohio.

**LEN:** Do you have any indications of simmering discontent or wavering of support within any of the other founding organizations that brought CALEA into existence?

**COTTER:** None at all. Each of them, in turn, has supported the concept and the program and the process that they developed totally and without exception.

**LEN:** California made the biggest ripple in terms of its dissatisfaction with accreditation, but it is far from the only state with a POST-type commission at the state level. . .

**COTTER:** Every state has a POST-type commission. But the concept there is different. The POST organizations are directing their attention to professional standards for individuals, and this program directs it toward organizations. There's quite a big difference. You can

Continued on Page 12



# Interview: Accreditation chief James Cotter

Continued from Page 11

have standards related to training of officers, which I think are really essential and should be — and are — mandated, but this program is voluntary. The commission never intended this program to be anything other than the selective choice of the individual chief of police as to whether or not he wants to, or could, get involved. I think there's an important distinction, because there is no other program — in spite of what you may have heard or may hear — directing itself toward accreditation of law enforcement agencies that is currently in existence.

It's important to recognize that the resolution in California, which was passed in 1983, was premature. The standards had not been finalized, the process had not been finalized, costs had not been determined, none of the things that they were taking issue with had been finalized. And 40 or 50 of the departments in California were given an opportunity to participate — and did — in the evaluation of the standards and the process before we put anything into effect.

**LEN:** Of the 40 or 50 agencies that helped evaluate the standards, what generally was their response to those standards?

**COTTER:** The response was good, and they made some suggestions toward consolidation and changing the levels of compliance, because of the fact that 80 some odd percent of the agencies in the United States have less than 50 people, and every standard that the commission addressed was addressed toward that concern, the fact that there are so many small agencies. The main contribution that we got from California and from the others that evaluated the standards during their development stages was the fact that you've got to be careful about asking these smaller departments to do things that they are just not able to do because of size.

**LEN:** Apart from California and New York — the other state in which we're aware of lingering discontent — are there any other states in which some sort of organized dissatisfaction has been in evidence?

**COTTER:** That's hard to answer, because no one has told me, in essence, that they're opposed to accreditation from an agency standpoint. SACOP, IACP's division of State Associations of Chiefs of Police, did a survey of sorts and there was an indication that some of the state associations had taken a position in opposition to accreditation. But no one has written to me and said to me, "For your information, we're opposed to accreditation."

What has happened is that I wrote to all of them when I saw that they were being circularized, and I suggested that this commission would prefer very much that you not take a position either for or against, because if you take a position for it, you're sort of putting undue pressure on agencies in the state that may either not want to or not be able to get involved in accreditation, and it sort of starts a finger-pointing thing. If you take a position against it, then you're restricting that individual chief that may need it and may want to do it to get his policies established and in writing, and is looking for guidance and guidelines, and you're pointing a finger at him and ridiculing him because he's taking things opposite to your stand.

I'm hopeful that down the line each individual chief in the country will be making his own decision. It's not a state decision. It's not a regional decision. It's an individual decision. And anytime anybody does anything other than that, they're putting pressure on that is unfortunate. It's saying to a fellow, "That's just something that the Federal Government is trying to jam down our throats; we have the right to do what we want to in our state." I encourage them on that. Sure, they have a right to do what they want to in their states. If they're going to start an accreditation program, I'll be the first one to help them. That's the only thing we're in this business for.

**LEN:** You brought up the term "Federal," a term that's been silently haunting accreditation efforts in some respects. To that end, the former president of the New York State chiefs, Chief Harlin McEwen told us in an interview that his members are concerned that a national commission such as yours might eventually translate into national or Federal control of police agencies, as in Federal restrictions on certain revenue-sharing funds if

an agency is not accredited. Do you see any merit to that kind of concern?

**COTTER:** I don't see it at all. A lot of this feeling may have come from the fact that I did come from a Federal law enforcement background. But it's important to understand that sixteen and a half years of my life were devoted to the local, county and state police training at the FBI National Academy.

A second thought is that there is not a member of the Federal Government on the commission. There is not a member of the Federal Government that has ever said to me in any way whatsoever, "Once we get these standards we're going to take over local law enforcement." It's totally inconceivable that this effort will lead to a national police force, for example. Just absolutely out of the question. The standards are devoted to and are addressed by local chiefs. In other words, we're not telling that chief of police how to run his department. We're

in charge of law enforcement functions for the FBI. In other words, he had the responsibility for training and the laboratory, the identification division, those areas where there was a direct involvement with local law enforcement on a continuing basis. So they put Ken Joseph on that commission at that time because of that. But he retired from the bureau and they got their standards developed and got the process going, so at this time there is no one on there [from the Federal Government]. There are six chiefs of police, four sheriffs, a deputy superintendent from the Chicago Police Department, and 10 non-practitioners, who come from the judiciary, education, a member of the POST council from Georgia, three or four City Council members, a state senator, a mayor and a senior labor relations officer from California. So it's really a cosmopolitan and very knowledgeable and able group.

**LEN:** Just going back for a moment to the California



Two of the officers of the Mt. Dora, Fla., Police Department — the first agency in the country to win CALEA's seal of approval.

saying that if you perform this function in law enforcement, then you should have standards relating to those functions.

Now, for Chief McEwen to speculate that the Federal Government is going to restrict the payment of funds to the local chiefs and sheriffs who will not get involved in accreditation, I hope it's totally the opposite. I would encourage the Federal Government, if they're going to put any monies toward the accreditation program after we're independent and self-sufficient, that they would do it to help agencies get accredited, not restrict them by saying, "Sorry, if you're not accredited you can't have any Federal funding." Everyone I've talked to in the Justice Department and everyone I've talked to connected with this program in the Government has indicated that since it's a voluntary program, there is no way that they're going to restrict Federal funding. When there are laws involved, that's different. What Chief McEwen was referring to, I'm sure, was the recent legislation relating to drunken driving and drinking ages and that kind of stuff. Any effort to legislate accreditation will be met with whatever resistance the commission can muster. If a state mandates accreditation, for example, by making it a law that you have to do it, this commission is determined and is very outspoken in saying that we will not address any agencies in that state so long as that legislation is on the books.

**LEN:** You mentioned that there are no Federal officials on the commission. Is that by accident or by design?

**COTTER:** It's specifically by design. Initially, when the commission was first formed in 1979, they felt that they could use the input of someone from the Federal Government who had had experience in organization and dealing with those kinds of things, so there was a member of the Federal Bureau of Investigation, who was the man

situation and its impact on your efforts, the president of the CPCA, Chief Leslie Sourisseau, had said that his organization did not want to see a national commission that's in a position to become the "voice of law enforcement professionalism." Is becoming the voice of professionalism in fact what CALEA is aspiring to?

**COTTER:** Absolutely not. The beautiful part of the program is its dynamics. In other words, every time an agency looks at the standards, every time an assessor looks at the agency, every time a chief looks at his policies, it's a test of the whole system. The creation of policy is vested in the head of that agency. What you will have will be, eventually, that if any authority will ever come to this commission, it will come from the participating agencies. Those that participate will be developing the standards and helping in the development of the whole program. And the thing that lured me out of retirement, really, was the beginnings of a way for law enforcement to communicate within the system. By that I mean when an assessor goes on site, he's not just to evaluate that agency, he's going to determine how far does that agency exceed the standards. And if there is excess, something they do better or more of, is that a better standard? If so, let's send it out to these agencies and say, "Take a look at this, can you implement it? It was discovered in an agency of your size and your makeup." If it's a good standard, we will take it to the commission and suggest that it become part of the national change.

I like to use the term "nationwide" rather than "national," because "national" gives the implication of Federalism. The term "nationwide" better expresses what's happening here. You should talk with the five agencies that are now accredited. We just accredited four more agencies three weeks ago. These four agencies of varying sizes looked at these standards and accom-



**"It's totally inconceivable that this effort will lead to a national police force. Absolutely out of the question. The standards are for local chiefs."**

modated the standards by their own efforts, and each in turn feels that the amount of work they put into it is exceptionally worthwhile. And none of them sees a vision of a Federal effort here.

Let me tell you something that Neil Behan said, the chief in Baltimore County:

*"As an agency committed to the need for, self-assessment and evaluation from within police agencies, we have supported and espoused since its inception the concept of establishing standards of accreditation by which our professionalism, programs, training and general performance can be measured. In accrediting this department, the commission also challenges us to continue to be excellent. That's healthy and desirable, and anything else is unacceptable."*

I can't say it any better than that.

LEN: Is that generally the response you get from applicant agencies, or those that have undergone some degree of the assessment process?

COTTER: Very much so, and I think it's important that the whole world understand that accreditation and achieving it is not easy. It takes an effort. Baltimore County was one of our pilot test agencies back in 1983, and it took them almost the entire year of 1984, plus what they did for us in 1983, to come into compliance with the standards. It's something that took a tremendous effort on their part to accomplish.

LEN: Is support for accreditation something that goes beyond the chief's office?

COTTER: Yeah, that's something that was most significant. Arlington County, Va., is a classic example, because it's near us, about 10 or 15 miles away, and we had the unique opportunity to follow the development of their program all the way down the line. The president of the Arlington County Police Beneficiary Association said he saw accreditation serving the best interests of the citizens and the law enforcement folks. He said citizens have never had the guidelines to judge the level of service being provided by their law enforcement agencies, and now they do. And he said one of the better things for the personnel is that it clarifies roles, responsibilities and requirements for moving up the ranks, and it requires a fairness doctrine — everybody's treated the same way. Our assessors in Arlington got this information by going down to the police on the street and asking them if they had any involvement in accreditation. They were very pleased to say, "Yes, not only did we have a chance to look at policies that were being created, but we understood that it was not just another policy coming out of the top office. It was something that had been given very careful consideration, and something that would help us better understand our role."

I don't know if I mentioned this, but of the 175 agencies that we got the first year, 38 of them were in the very first and very critical stage of what we call self-assessment. In other words, the important thing about the program is the process, and the most critical part of the process is when that agency takes a careful look at itself.

LEN: In what respect is that the most critical?

COTTER: Well, this is where they determine initially whether or not they live up to the standards. This is

where they determine whether or not they have the policies in place. It's where they determine whether or not they have the practices and procedures and the protection that the standards call for. Law enforcement is a reactive service, but the intent of accreditation is to make it proactive. You don't take away the discretion of the officer; of course not. You always need that, and that's one of the things that we look for when we hire people, their common sense and good judgment. You can't remove that from the officer. But at least you're giving that officer a better understanding of exactly what you expect from him, and he can't help but act better when he knows that.

Self-assessment determines that. Self-assessment gives that officer an opportunity to say that a policy is confusing, and he doesn't know whether or not the judgment he can make is one that's really expected of him. I think accreditation will help identify for that individual officer just exactly what is expected of him in most circumstances.

LEN: The phrase "local control of standards" is one that's been batted about in various quarters with regard to CALEA. In that respect, what would happen if the standards laid down by the accreditation commission clashed dramatically with local statutory requirements or policy?

COTTER: Well, one of the things we tried to eliminate, of course, was this conflict, by sending the standards out to every state, and specifically to 350 agencies. But indirectly we did to every agency that bought standards, and there were over a thousand of them that bought standards while those standards were being developed. We encouraged them to take a look at these standards, and if they are in conflict with anything to please let us know.

There is a built-in waiver-request system, where if any standard that an agency is asked to address conflicts with local law, with a contract they have with another agency or with somebody else, with a judicial decision or with anything that's totally beyond the control of the agency, then they submit that request during the self-assessment process in order to identify this. They submit that request to the commission, and we as a staff make an initial determination based on previous commission decisions as to whether or not the waiver is legitimate. If it is, we take it right to the commission and they will say yes or no. Ordinarily, what the commission's reaction is and has been is that health, life and safety standards are not in conflict with anybody's law. These are mandatory standards, and the chances are pretty good that the commission won't waive many

As far as deadly force is concerned, there are some states where the state law is a little bit more relaxed, if you will, than the specific standard that we have in our manual. But I think a lot of it's going to be decided for us when the Supreme Court rules on the two cases they have now. If and when they address them, it may change the nature of the deadly force standard that's now in our manual.

LEN: What exactly does the existing standard say regarding deadly force?

COTTER: It says, "A written directive states that an officer may use deadly force only when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in immediate danger of serious physical injury." Now there's a commentary that's very important to it: "The purpose of this standard is to provide officers in the use of force in life-and-death situations, and to prevent unnecessary loss of life. Definitions of reasonable belief and serious physical injury should be included in the directive."

LEN: Essentially you're sort of toeing the FBI line on this subject?

COTTER: Well, the FBI position was one that the four associations looked at. As you know, there's been a tremendous amount of research done on this, and it is a critical standard, and one of the few specific standards in the book that says you've got to have a policy that conforms to this position — because it was so critical in the minds of the commissioners.

LEN: There was another comment from Chief McEwen that I wanted to explore. He had said that one of the concerns of the New York chiefs was that there are many good agencies run by top-notch, progressive administrators that could meet CALEA standards if only they had the financial wherewithal to apply for and undergo the accreditation process. Does the fee structure you've set up force some agencies out of the running?

COTTER: I don't think so. One of the major concerns that everybody connected with the program had was how much it's going to cost. You've got to remember you're dealing with a non-profit, non-stock, tax-exempt corporation. We would hope that we can encourage, and we're trying very hard to encourage foundations all over the country to help defray the cost of accreditation by contributing in a way that we can keep the costs at a



**'It's important that the whole world understand that accreditation and achieving it is not easy. It takes an effort.'**

mandatory standards.

Remember, too, that the standards say "what to" and not "how to." There's only two specific standards that I can find in the 944 standards, and these deal with the use of deadly force. This is something that the commission could not avoid; any commission or any agency worth its salt is going to address this question. The rest of the standards relate to — let me give you an example. There's a standard that says, "A written directive governs the discharge of warning shots." That doesn't say you can have them, it doesn't say you can't. There's a commentary behind that standard in which the commission says warning shots are dangerous. If you're going to allow them, you should have a policy of the specifics of when they can be and how they should be used.

bare minimum. The best way I can explain that is we did our pilot testing, and used our assessors to determine how much time it was going to take and how much it would cost to have assessors coming in from out of state to do the work. What we determined was, for example, a department with less than 10 people would pay an accreditation fee of \$3,800. More than half of this, about \$2,000, is to pay for the travel, subsistence and the on-site experiences of the assessors to do the work. The other \$1,800 is pro-rated to help defray the expenses of the 1,000 pieces of paper that are flying back and forth between the agency and the commission, the logistics of getting the commissioners together, the subsistence of a very small staff — just myself and seven other people — and doing all the paperwork connected with this process.

Continued on Page 14



# LEN interview: CALEA's Jim Cotter

Continued from Page 13

gram. We've pro-rated that based on the size of the agency, recognizing that a small department's budget is much less than that of even a medium or larger sized agency. So the rates, I think, are as low as we can possibly make them.

**LEN:** What can an agency do if it wishes to undergo the accreditation process but can't afford the application fee or the costs that it might incur in undergoing self-assessment?

**COTTER:** My suggestion would be to at least get a copy of the standards and a copy of the accreditation book. These we make available at cost. A chief can take that standards manual and take the table of contents and parcel them out in his agency and ask his people just where do we stand on this accreditation thing.

One of the things that we haven't talked about, and I think is important when you're talking about financing, is the fact that the accreditation program should lead — and of course this is a speculation, but a good, solid one — to a reduced likelihood of vicarious liability suits, or liability suits against individual officers. If he's operating under a standard policy, and follows that policy to the best of his ability, there is less likelihood that he's going to be involved, and if the agency has a good, solid policy, then there is much less likelihood that they will be involved as a second party in any litigation. The insurance industry is beginning to recognize this. As you may be aware, many law enforcement agencies are now finding it difficult to find that kind of insurance. They have to turn to either self-insurance or other costly methods to cover themselves. There is a stirring in the insurance industry to reduce the cost of premiums if an agency merely gets involved in the self-assessment stage and addresses those critical standards dealing with health, life and safety when an officer puts his hand on somebody. So to a medium-sized agency, just saving on insurance will more than pay for accreditation. And when you spread accreditation fees out over a period of five years, they really aren't very high. For example, the Baltimore County Police Department, with 1,500 people, had an accreditation fee of \$12,000. They can spread that out over a period of five years and it's minimal in the budget. They got tremendous support from the community, and I would encourage that anybody that is looking for assistance turn to the community for that, because there are benefits to the community to be realized from accreditation. You would think that where they have a major industry or where they have a civic organization that they can come up with a great portion of that fee.

So there are several sources of funding out there, and a chief should know his community pretty well. I would hope that when you're talking about the cost of a good used car, you're not going to be deterred just because of money.

**LEN:** As far as insurance industry interest is concerned, is there any possibility that insurance underwriters might exert certain pressures and refuse to issue liability policies for agencies that have not gotten aboard the accreditation handwagon?

**COTTER:** Well, let me tell you what the vice president of Markel Services of Richmond, Va., which has been recognized by the IACP as a good source of liability insurance for police agencies, told a group at the IACP conference in Salt Lake City. He said that at the beginning of 1984, there were nine major insurers of cities and counties in the business. As of this time, he said, there are three left, and he is one of the bigger ones. He said that they insure 1,800 cities, towns and counties, and that their rate begins roughly at \$240 per officer per year for a basic insurance policy.

He said that the key to their success was that they require agencies to present a policies and procedures manual and give them the assurance that their officers are trained from that manual. He said that from what they see with accreditation, they're willing to give a credit to any agency that's willing to get involved in accreditation, because our standards manual covers 48 chapters of things that happen in the area of administration, role and authority, operations and support services. I can't imagine, he said, that we would ever not give anybody insurance if they were qualified and they had these manuals that we're requesting. But he said they would, knowing that we were evaluating these

agencies, be willing to give those agencies a little bit of an insurance credit.

Will they ever deny insurance? I can't speak for the insurance industry, but I don't know that it would ever come to that. The guy I talked to told me that they are very disappointed in the quality of the manuals they are getting from their insured, and they're suggesting that they take a look at ours because it gives them some direction and some guidance. This is one of the problems, and it goes back to something you asked about earlier as to what an agency can do if it can't afford to get involved. My suggestion is that they look at the standards.

**LEN:** One report that I read of the recent commission meeting in Portland, Ore., said that the Baltimore County Police Department came very close to having its request for accreditation postponed or denied because of certain non-compliance in the area of holding facilities. Granted they did manage to come to terms with that and got a provisional stamp of approval, but what would face an agency that had a request turned down? Would they have to start from scratch?

**COTTER:** No, no, no. What happened in Baltimore County's case is that they have monies that they're requesting from their County Council to completely refurbish 10 of their precinct stations that had antiquated facilities. They had a request before the County Council that they anticipate will pass without any question, a bond request or whatever. The fact was that they presented to the commission, at the same time they were

***'I would hope that when you're talking about the cost of a good used car, you're not going to be deterred just because of money.'***

up for consideration, a request for some waivers to give them a chance to do this later on down the line. In other words, consider our accreditation request and give us a chance to make these amends. What they wanted to do was not go in on a temporary basis and put in portable smoke alarms and portable panic buttons. These were things that were not existing in the current facility, and yet the commission recognized that the way that Baltimore County had the visual capability of two persons at all times looking at the people in this holding facility in fact exceeded the standards, but they did not have the specifics as required by and suggested by the corrections people in setting up safety factors in a holding facility. And as the assessment team leader said, you have to see the facility to appreciate the fact that it's nothing but steel and concrete and there's very little possibility of fire, and the fact that these two officers are there with almost total visual contact does in fact exceed the standard.

Well, the sheriffs on the commission were a little concerned, and became technical until such time as the program manager from Baltimore County said, in effect, "We can and will, if you want us to, put in the temporary smoke alarms and panic buttons and make more frequent checks if you want us to, to assure you without a doubt that the holding facilities are safe." The commission accepted that. There is no provisional accreditation; the commission gave them the same accreditation they gave everybody else, with the understanding that those things will be put in place immediately. We have a provision where an assessor or a member of my staff will make an unannounced on-site inspection when they say that things have been accommodated, and we're already in communication to do that.

**LEN:** In a more general sense, what would be the lot of an agency that was denied accreditation, since you offer no provisional approval? Would they simply have to make amends in those areas where they are lacking?

**COTTER:** Exactly. And the word "denied" I took out of the manual on purpose, because denial is not a good word. It sounds like something that's a penalty to the agency. Deferral is a better word, and the terminology that I prefer to use. It means that if an agency lives up, like Baltimore County did, to over 850 standards, and they don't live up to 3 or 4 standards, and the assessors find some things on site that they felt were not in compliance — well, they were of such a nature that they could be changed, if not while the assessors were on site,

then within two or three weeks after they left. So there was a plan of action, they sent it out to the assessing

team, and the assessing team got on the phone and evaluated it and said, "Yes, in our opinion they are in compliance," and the report to the commission showed this.

Now if the occasion happens, as you suggested — and it's very possible; in fact, I would think that it's likely. What's going to happen is sometimes the assessors are going to find that the agency is not in compliance with certain compliance and it's going to take more than the time period to get them in front of the commission at the next meeting. And the chances are pretty good that they're not even going to be presented to the commission until such time as they meet the standards. So as far as commission action is concerned, the commission action is not a final action. It is an action that we hope can be final, but even then there is an appeal process if the agency says, "Hey, we feel that we're in compliance and here's why, and you didn't get the whole story," or something like that.

But again, let's go back to the stages of the process. The critical stage is one of self-assessment, and the agency is not going to ask for the assessors to come in until they're ready for them to come in. We would hope that they could come into compliance within 8 to 18 months, and the 18 months is the long term for the smaller agency that might not have the personnel or the capability to shuffle things around or get things in order as quickly as a bigger agency might be able to. So when

they say that they're ready, we get involved with our assessors, and only at that time. If the assessors determine that something's not there, the agency's probably going to say, "Don't present me to the commission until I get this situation corrected."

**LEN:** In other words, you don't take the final exam until you're sure you've studied enough for it.

**COTTER:** Well put; I'll be sure to use that.

**LEN:** If the lack of accreditation for an agency is not necessarily a liability, can you point to tangible benefits of being accredited?

**COTTER:** Well, I think the tangible benefits of accreditation are best said by some of those people who have gone through the process. The ones that I like to take note of especially are those that relate to having all of your policies in writing, you're going into a proactive mode, where both the community and the officer and the supervisors and the chief know what's expected and the officers have a better opportunity to perform in that manner when they go out there. We might call it thoroughly documented policies; that's the best part. Because the agency has to take a real critical look at itself. There's the possibility of deferring or deterring liability litigation, decreasing liability insurance costs and those kinds of things. It provides the community with a better understanding of the role of the law enforcement agency, and therefore you're going to get a lot better support. It also requires a deep involvement with neighboring law enforcement agencies, and this can't be anything but good, because it eliminates a lot of misunderstanding and it probably results in better responses and more thorough responses. One of the best things, as I've said, and I reiterate this because it's so important — it's going to identify for all of the law enforcement community the good things that are being done, and we will make them standard. So you've got five or six audiences out there that are going to benefit from accreditation, starting with the police agency and the chief of police himself, who has this golden opportunity to really get an evaluation of his department; the community, the people that they serve; the mayors and the city councils that they work for; the neighboring law enforcement agencies that they work with, and the rest of the criminal justice system is going to have to benefit because law enforcement's the first step in that ladder and that's where improvement ought to start.



# LAPD puts the byte on street prostitutes

Police officials in the Hollywood section of Los Angeles say they have finally made a dent in the number of female prostitutes in the area, thanks to a squad of special anti-vice officers and a \$15,000 computer.

The prostitution enforcement detail, a group of uniformed vice officers who have patrolled Hollywood streets since January 1983, has been given part of the credit for a significant reduction in hookers.

Their job was made much easier by the acquisition, in April 1983, of a computer that can provide a judge with an individual's complete criminal record, even if a false name has been given, resulting in increased jail time for repeat offenders.

"The computer's a dream," said Sgt. John Johnson. "It's helped a lot."

In the past, prostitutes were

often able to hide their police records by using aliases. The computer, by matching such information as physical histories, aliases and fingerprints, can prevent that kind of dishonesty, police said.

The numbers would appear to tell the story. Eight months ago a Hollywood police patrol sighted about 80 prostitutes. On a recent Friday, only three hookers were sighted. Arrests, which had averaged 30 to 40 a night, are down to about seven a night.

Police say the reduction in prostitution has been accompanied by a drop in robberies, pickpockets, thefts and purse-snatchings in the area, from 313 in 1982 to 54 so far this year.

The computer was donated to the Hollywood Division of the Los Angeles Police Department by the Hollywood Chamber of Commerce. The software program, which cost \$90,000 to

develop, was donated by John Cappelletti & Associates, a division of Computer Contractors in Burbank, Calif.

The decrease in female prostitutes has not left the prostitution-squad officers with time on their hands, however.

Police said their next target of attack will be male prostitution, which accounts for about 45 percent of the street trade in the area.



Los Angeles mounted patrolmen approach two women on Sunset Boulevard as part of a special anti-prostitution drive.

LA Times

## Whites rip into NYPD for officer misconduct

Continued from Page 8

as less intimidating than uniformed personnel," the report said, "and because investigators are thereby freed to concentrate on the basic task of conducting investigations."

The report said complaints filed with the CCRB rose 14.5 percent last year, from 4,105 to 4,700, which "should be viewed as a positive development," since "increased filings imply a rise in the credibility of the CCRB."

Both reports pinpointed the problem with police-community relations as a lack of communication — not a startling revelation. The Congressional report summed it up in succinct fashion:

"The complaints of police misconduct placed side-by-side with the police responses to those allegations together demonstrate the degree to which the Police Department and many citizens are not communicating."

"The complainants, in the stories they told, described the police officers they had encountered as discourteous, foulmouthed, quick-tempered and brutal. The Police Department describes the citizenry involved in the incidents as hot-tempered, verbally aggressive, totally lacking in respect for law enforcement personnel and virtually fearless."

"The truth lies somewhere in between."

## Houston PD cuts into city's traffic death toll

Continued from Page 3

police say, involve alcohol.

Capt. H. L. Goodwin of the Houston Police Department's accident division says it is the department's speeding and drunken driving patrols that are responsible for reducing the carnage. These patrols, established in 1982, cruise the streets and freeway beginning at 9 P.M. Tuesdays through Saturdays.

Drunken driving arrests have risen dramatically since the patrols began, jumping from 4,710 in 1981 to 16,462 in 1983. The increase in arrests is said to be due in part to streamlined paperwork procedures.

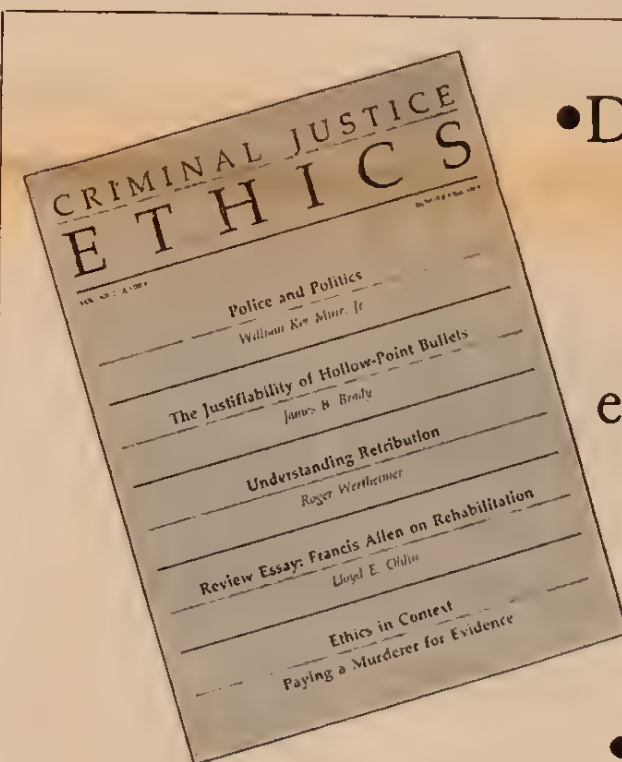
Capt. Goodwin said the division conducted interviews of its officers, and determined that it took an officer up to three hours to fill out the forms for drunken driving arrests. The department cut the paperwork from seven pages to three and reducing the filing time

by two-thirds.

The State of Texas enacted a tough new drunken driving law this year, which permits videotaping of people when they are arrested, limits judges' discretion in sentencing and imposes mandatory jail terms for repeat offenders. Goodwin said that 90 percent of the people arrested for drunken driving in Houston are convicted.

Houston officials cite impressive growth statistics as part of the reason for the high traffic fatality rate. Since 1965 Houston's population has doubled to 1.75 million, vehicle miles are up 160 percent and vehicle registrations are up 140 percent.

But Goodwin points to a more intangible source of the high rate of fatalities. "If I had to point my finger to one problem, I would say driver attitude is the thing we must attack next," he said.



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# Supreme Court Briefs: Knock and announce

Continued from Page 9

gave police officers a treat in response to a law enforcement trick.

## The Facts of the Case

Officers in possession of a valid search warrant knew that there was a double door at defendant Myers' home. The inside door was a normal door while the outer door, separated from the inside one by about three inches, was made of cast iron grill work with openings too small to allow entry by any person. The officers had been told that Myers usually answered the door with a loaded handgun within reach.

For these reasons, the officers developed a ruse to get the defendant to open the iron door. They prepared a fictitious arrest warrant for a traffic offense in Myers' name. The warrant was signed with the name of a fictitious judge. As several officers waited a block away, two detectives knocked on Myers's door. When he opened the inside door, they showed him the arrest warrant. When Myers replied that a mistake had been made, the officers asked to use his telephone to clear the matter up. Myers agreed and invited the detectives inside.

At this point, the testimony of

Myers and the officers diverged. The detectives testified that they summoned the other officers, advised Myers they had a search warrant, and entered in response to his statement that they could enter and that he had nothing to hide. The search produced heroin, narcotics paraphernalia and a large amount of cash.

Myers, on the other hand, testified that the officers forced their way in at gunpoint as soon as he opened the iron gate, and that he was not told the true purpose of the entry until 45 or 50 minutes later. The trial court believed the officers, and the Court of Appeals upheld the seizure (667 P2d 1142 [1983]).

The defendant asserted on appeal that the officers' use of the fictitious arrest warrant violated his due process rights and that the heroin should be suppressed on due process grounds or in the exercise of this court's supervisory powers.

## Shocking Blue Conduct?

In upholding the use of the ruse in gaining entry, the court here noted that law enforcement conduct does not violate due process unless it is so shocking as to violate fundamental fairness. The fact of deceit will not in itself defeat a prosecution, for there are

occasions when the use of deceit is the only practicable law enforcement technique (*U.S. v. Russell*, 411 U.S. 423 [1973]). In order to invoke the limitations of due process, the court continued, it must be shown that the government activity involved violates a specific constitutional right of the defendant (*Hampton v. U.S.*, 425 U.S. 484 [1976]).

The Fourth Amendment has been interpreted as requiring that police officers "knock and announce" their purpose and authority before breaking into an individual's home (*Ker v. California*, 374 U.S. 23, 49 [1963]). As the Washington court pointed out in its decision, the knock-and-announce requirement was complied with in this case. The trial court found that Myers was informed of the officers' actual purpose before the officers entered the house. Thus, the entry was valid unless the initial subterfuge which convinced Myers to open the outside iron gate somehow tainted the subsequent events.

To determine whether an entry based on a ruse constitutes such an unlawful "breaking," the court looked to the purposes of the knock-and-announce rule: (1) reduction of potential violence to occupants and police; (2) preven-

tion of property damage, and (3) protection of an occupant's right to privacy. A ruse entry, especially when the deception is not realized until after the entry has been accomplished, appears to actually promote the objectives of preventing violence and property damage. Whether a ruse entry is an affront to an individual's right of privacy, however, is not so obvious. The key factor in determining whether the knock-and-announce requirement applies is whether it was pursuant to the valid permission of the occupant.

The justices of the Washington Supreme Court took note of the defendant's contentions when it wrote "The argument has been made that an entry obtained by police through fraudulent misrepresentation of their identity or purpose is not truly permissive because of the deceit used to obtain the occupant's consent to enter. The cornerstone of this argument is that the occupant has the initial right to voluntarily surrender his privacy, even though he has no right to deny the authorized entry...."

"This argument is not persuasive," the justices continued. "The occupant's right of privacy is severely limited where the police have satisfied the Fourth

Amendment's probable cause and warrant requirements. In such a case, the officers possess the authority to intrude upon the privacy of the home regardless of the occupant's wishes and irrespective of his activity at the time of the intrusion. It is difficult to see how imposition of an informed consent standard at entry would meaningfully promote any concept of privacy...."

"Moreover, courts have held that an occupant waives his right to privacy upon his initial consent to allow a police officer to enter, even though the occupant is unaware of the officer's identity...."

"In short," they concluded, "it seems that since an occupant cannot deny entry to police in possession of a search warrant, he loses nothing in terms of privacy when the officers fail to state their actual authority and purpose, but rather obtain permission to enter by means of a trick or ruse." (*State v. Myers*, Washington Supreme Court, No. 50028-2, aff'd 667 P2d 1142).

(Jonah Triebwasser is a former police officer and investigator who is now a trial attorney in government practice.)



## Runaways and Non-Runaways in an American Suburb:

### An Exploratory Study of Adolescent and Parental Coping

By Albert R. Roberts,  
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## Cross-designation: a big word with a simple meaning for police

Continued from Page 9

status to Federal agents. "All but 17 or 18 states now give at least some police powers to Federal agents — the powers of arrest, search and seizure in serious crimes, be said. "Federal agents are not going to go looking for these crimes to investigate — God knows we've got our own problems — but they want the status of peace officer in a state so that if something happens in their presence they can act." Veich said that FCIA chapters in states which don't now empower federal agents to act in such crimes are being asked to push for legislation.

The practice of giving municipal and county officers authority beyond their normal jurisdiction — sometimes called cross-designation — is used by some states, too. In Illinois, for example, the state's Department of Law Enforcement has formed task forces made up of agents from its Division of Criminal Investigation and local police officers to work on drug cases.

"Right now we have about 35 local police officers in the Chicago area in a joint state-local narcotics task force," said Thomas L. Schumpp, head of the division's Chicago district. "The locals are sworn in as inspectors and given statewide authority."

The result, Schumpp said, "is that there's a better flow of information because the local communities are sharing it with us,

One of the major problems in law enforcement has been that we don't often work together in a cooperative vein." But in a unified task force, local and state investigators become a more effective team in tackling drug cases because they can be assigned anywhere and given police powers in communities where they aren't known.

Another result is economy and better use of manpower. "I have 100 people in the Chicagoland area," Schumpp pointed out, "and there's no way I could allocate 100 of them to work narcotics. So we probably have triple the number of people working narcotics than we otherwise would." The Division of Criminal Investigation pays only administrative and evidence costs; the local police officers are paid by their own agencies.

Cross-designation is used by prosecutors, too. Often a state or county prosecutor will be appointed as a special U.S. Attorney to prosecute cases in which both Federal and state funds are involved. One example is Medicaid fraud. In such cases, state prosecutors are empowered to conduct Federal prosecutions. "This has important ramifications where the conduct engaged in is inadequately dealt with by state statutes, or where state grand jury and discovery procedures are inadequate or burdensome," said Richard F. Kusserow, Inspector General of the U.S. Department of Health and Human Services.

Occasionally state prosecutors are given authority to handle a fraud case that involves only Federal funds. This happens when a health-care provider tries to bilk Medicare, which is entirely Federally funded, as well as Medicaid. Ordinarily the state prosecutor would have to refer the Medicare part of the investigation to Federal prosecutors, with the consequent duplication of effort. But with cross-designation, the state prosecutor can handle the Medicare and Medicaid cases together.

Cross-designation of prosecutors is also used in fraud involving such other Federally-funded but state-administered programs as Aid to Families with Dependent Children, Head Start and food stamps. In addition, it's sometimes used when an investigation requires specialized knowledge that a state prosecutor has and Federal authorities don't.

Cross-designation is a big word with a simple meaning for police and prosecutors — greater efficiency and better use of all resources in the fight against crime.

(Ordway P. Burden is president of the Law Enforcement Assistance Foundation and chairman of the National Law Enforcement Council. He welcomes correspondence to his office at 651 Colonial Blvd., Washington Twp., Westwood P.O., NJ 07675.)



# Koch: Repelling the foreign invasion of drugs

Continued from Page 10

territory. Customs admits it intercepts only about one out of every 100 planes smuggling cocaine into the country. There were an estimated 18,000 flights in 1983.

While Defense and Treasury bicker over which department has primary responsibility for detection of air and sea smugglers (neither wants it), our borders remain wide open to the drug merchants. There are no radar installations designed to detect drug flights over our southern coast. The DEA has only eight planes with sufficient overtake speed to police the border from Key West to San Diego.

Incredibly, we are the most technologically sophisticated military power in the world, and yet our border police have no look-down, low altitude radar, only a few interceptor jets with tracking radar, and only a small and thoroughly inadequate number of large and fast helicopters to transport teams of enforcement agents to landing sites once suspicious aircraft — mostly small, private executive jets — are forced to land.

This is why I have called for the

commitment of our armed forces to help in the fight to secure our borders from what has become a literal invasion of drug smugglers. Searches of individuals and cargo, not violative of constitutionally protected rights, should be required, whether it be by the use of drug-sniffing dogs, by body search or by strip search. We must make it clear to our own citizens as well as to foreigners coming in from countries prominently known as drug sources that we mean business. Criminals carrying drugs must understand that they will be arrested, tried and sent to jail.

The direct involvement of naval, air force and army units and personnel on the high seas, patrolling the skies over our borders, and conducting searches at our land and sea ports of entry has not been effectively pursued. The obvious and crucial military solution has been limited to a never fully or regularly realized 50 hours monthly flying time by Navy surveillance planes on the East Coast, and another 20 on the West Coast; a supposed 24 hours per month of AWAC surveillance time in the Gulf, also never realized; sporadic assistance to the

Bahamas, where Special Forces lends helicopter support to local arrests at clandestine transshipment points; a total of eight Army helicopters loaned to Customs, and occasional Navy participation, when ships on patrol stumble upon obvious drug activities.

Federal law presently places significant restraints on military involvement in drug interdiction efforts by domestic, civilian law enforcement agencies like the Customs Service and the Coast Guard. Clearly prohibited are "interdiction of a vehicle, vessel, aircraft or other similar activity, a search or seizure, an arrest, stop and frisk, or similar activity, and the use of military personnel for surveillance or pursuit of individuals."

This law, called the Posse Comitatus Act, imposes absurd obstacles in the path of the Navy, Army and Air Force in the war on drugs. This is demonstrated by a recent example of military involvement on July 17, 1983. The USS Kidd, a naval vessel on patrol in our southern territorial waters, encountered a suspect ship flying a foreign flag. It was stopped, but refused to allow boarding. It was determined that

the ship was not registered in the country it claimed and therefore was a stateless ship which could be legally boarded, but only by the Coast Guard. The captain continued to refuse permission to board, and the Navy, fearing its intervention would violate the Posse Comitatus Act, requested direction from the Department of Defense while continuing to follow the vessel. Eventually, a Coast Guard ensign, or flag, was transported to the USS Kidd and on direction of President Reagan the USS Kidd raised the ensign and, in effect, became a Coast Guard vessel, thus allowing disabling fire to be directed toward the pirata ship. A cache of drugs was seized.

This circumvention of the law, though necessary, illustrates the immediate requirement for revision of the Posse Comitatus Act. I have therefore made the following proposals to the Congress:

I. Congress should pass a special resolution declaring that it shall be an auxiliary mission of the Armed Forces of the United States to interdict, under the direction of the Secretary of Defense, the importation of illegal narcotics into the country.

II. Congress should pass a bill

requiring the United States Navy, pursuant to specific authority of the Secretary of Defense, to participate in drug enforcement operations outside the land areas of the United States, its territories and possessions.

III. Congress should pass a bill authorizing the use of United States Army personnel, pursuant to specific authority of the Secretary of Defense, to assist the Customs Service drug enforcement efforts at all ports of entry, including all major seaports and all airports receiving international flights.

IV. Congress should pass a bill requiring the United States Air Force, pursuant to specific authority of the Secretary of Defense, to utilize its equipment, including planes and radar equipment, and personnel to assist drug enforcement officials of the Federal government in locating and intercepting air flights of drug smugglers across the borders of the United States.

If we but focus upon the awful dimension of the drug problem, the perils of shrinking from bold action are clear. Federal leadership in this crisis is preeminently the foremost imperative in our national life.

## Fleeing-felon case hits Supreme Court

Continued from Page 1

fact, an authorization to shoot to kill car thieves, pickpockets and shoplifters, and it cannot be justified as a legitimate exercise of public authority."

Police Chief Reuben Greenberg of Charleston, S.C., one of the individual co-signers of the brief, said he has adopted stricter fleeing felon guidelines in his department than those in the South Carolina penal code, because he does not believe in using deadly force to stop suspects.

"I don't think people should be executed without a trial who wouldn't have been executed with a trial," Greenberg said. "I believe in running a guy down. It doesn't matter whether he's armed at the time or not, if he hasn't committed a forcible felony, a police officer in my department cannot fire on him."

"South Carolina law permits a law enforcement officer to shoot a fleeing felon," Greenberg continued, "but the police department forbids it. So if an officer did shoot a fleeing felon, he wouldn't be tried, but he would be fired."

IACP remains neutral

Conspicuous in its absence from the list of friends of the court is the International Association of Chiefs of Police. William C. Summers, an IACP supervising attorney, said he advised the association to "stay out of the case."

Its abstention, Summers said, was not based on an opinion one way or the other on the constitutionality of the fleeing felon

statute, but rather on a tangential implication of the Sixth Circuit decision having to do with liability.

"If a police department is following state law, and 10 years later that law is determined to be unconstitutional and the city and police department are held responsible for the action, then how can a law enforcement agency act on anything without being afraid it will be held liable for damages at some later point?" Summers said.

"I don't like the implications. Individuals have the good faith defense, but there is no good faith defense for municipalities," Summers said.

In addition to the 31 individual co-signers, the following organizations signed the friend-of-the-court brief:

The Police Foundation, the Police Executive Research Forum, the Police Management Association, the National Organization of Black Law Enforcement Executives, the Academy of Criminal Justice Sciences, the International Law Enforcement Instructors Agency, the International Law Enforcement Stress Association, the National Association of Police Planners, the National Black Police Association, the Reserve Law Officers Association of America, the Kentucky Association of Chiefs of Police and the Utah Association of Chiefs of Police.

evelyn:

## Subtle violence above the law

Continued from Page 10

and warns of potential serious injury. Yet the games continue; parents bring children to join them in playful, violent togetherness — either forgetting about or not understanding at all the subtle undercurrent of brainwashing that takes place during play.

The loss of dignity sustained by police when we metaphorically — and metaphorically — transformed them from men into pigs, started society on a roll. Fettered by fashionable understanding of the right to do wrong, and trendy laws, police, "damned if they do and 'damned if they don't," are made to spin like tops.

Johnny Criminal has no such confusion. He can stab a 70-year-old woman for the \$15 she might have in her purse, comfortable with his rights under the Constitution. And police had better swaddle him in cotton batting during apprehension. Bruises to Johnny's person during arrest could mean his rights as a human have been violated and a cop will be brought up on charges. Johnny is told "we" understand because "we" made him antisocial. Johnny is a quick study. He does what is accepted; he continues his life of crime. And we put bars on windows in our homes and shudder, but continue — guilty and understanding, forgetting that the Constitution is for all, not merely for those who scream about their rights after violating

the rights of others.

Police, the men and women whose lives are unpredictably up for grabs, are harassed, demoralized and mentally brutalized by society and the blatant impotency of our courts. The fact that police continue on the job, risking their lives, is a miracle. The fact that we honestly believe that it is they who are brutal is nothing short of derangement. We've forfeited reason to pernicious rhetoric.

Some would like to take further steps toward widening the law-and-order credibility gap by making police entrance and promotional exams easier to pass. Again, guilt is to be an acceptable reason for mediocrity. Throughout the years, police entrance requirements have become less stringent. Surely, high quality thinking ability is not unreasonable, and should be expected of the men in whose hands our lives are placed. Easier tests mean lowering standards; lowered standards places police in an inferior position, underscoring the inability to measure up. The future promises further deterioration when youngsters in whom we are currently cultivating violence become adults, capable of expressing disrespect in physical terms more hateful than those of today.

The American system, founded on law, order, reason and fairness, has somehow managed to pick

and choose segments of the Constitution on which to build law, instead of treating that document as the very cohesive instrument it is. The Ninth Amendment, which bridges the gap between the rights of the individual and the rights of all, is glossed over. Violence has become the norm in many segments of our society. Time is past due for Congress to re-evaluate the use and semantic abuse of Constitutional law. The political clamor over God in the classroom blatantly overpowers the issue of controlling the devil that rampages in our streets. Something has to be done to stop the fashionable practice of sidestepping the parameters of law.

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Applicants must be 20 to 31 years of age (21 by date of appointment), with high school

diploma or equivalent (GED or 12 semester units of college). Applicants must possess a valid California driver's license by date of appointment, have vision no less than 20/40 uncorrected, correctable to 20/20 in each eye, along with full color vision and no deficiencies. Height and weight must be proportionate, with height not more than 6 feet 6 inches. In addition, applicants must be U.S. citizens and have no felony convictions.

Selection process will include a written exam, oral interview, physical performance test, medical exam (CHP-paid), and a comprehensive background investigation. Successful applicants are assigned to a comprehensive 20-to-21 week training program at the California Highway Patrol Academy in Sacramento.

Salary is \$1,872 per month during training, and \$1,930 to \$2,338 per month after academy graduation. Benefits include yearly uniform allowance, two weeks vacation per year, 11 paid holidays per year, 12 annual sick days, time and a half for overtime after eight hours, retirement at age 50 with 20 years of service, and health, life and dental insurance.

For further information, contact: Sandy Schneider or Walt Choy, Recruitment Coordinators, California Highway Patrol, Golden Gate Division, 455 8th Street, San Francisco, CA 94103. Telephone: (415) 657-0640.

**Security Specialist.** The Office of Diversion Control of the U.S. Drug Enforcement Administration is seeking individuals to serve as a technical security expert for the diversion control program and provide high-level staff advice and policy development for the agency. The successful candidate will be responsible for developing security programs at a national level to prevent diver-

sion of controlled substances from pharmacies, physicians and hospitals. Candidates must be familiar with all aspects of physical and electronic security and theft prevention. Successful candidate will make assessments and recommendations to program officials regarding security proposals; draft Federal guidelines and policies relative to registrant security requirements, and conduct liaison with other Federal, state and local agencies, as well as suppliers of industrial security equipment.

The position requires three years general experience in analytical decision-making or administrative work; three years specialized experience involving familiarity with all aspects of physical and electronic security and theft prevention. (Experience must have included making assessments and recommendations to management regarding security proposals and development of procedures, regulations and policy decisions relating to security problems.)

All applicants must submit a professional writing sample and forms SF-171, DEA-37 and DEA-426 to: Betty Mullins, AHR, Room 909, HQS, Drug Enforcement Administration, Washington, DC 20537.

**Director, School of Justice Administration.** The University of Louisville invites applications and nominations for the position of director of the School of Justice Administration. The school offers baccalaureate and master's degrees in justice administration, and also includes two nationally-known institutes, the Southern Police Institute and the National Crime Prevention Institute.

The director is responsible for the administration and operation of the school; the administration of 10 faculty, 13 staff persons and the directors of the SPI and NCPI; participating with faculty

concerning the assignment of teaching responsibilities and arrangement of curricula; providing encouragement and leadership for students; representing the school with college and university officials and the community at large, and the stimulation and facilitation of faculty research and service. The director is expected to teach one course per semester.

Qualifications include a doctorate in criminal justice or a closely related discipline; established credentials and demonstrated commitment to teaching, research and service; academic administrative experience with particular emphasis upon interpersonal relationships in dealing with faculty, staff and students; a record of experience with criminal justice practitioners, and demonstrated scholarly accomplishments in criminal justice.

The position is a senior level, academic appointment on tenure track. Salary is competitive and negotiable, depending upon qualifications. Appointment expected on or before September 1, 1985.

To apply, send vita, official transcripts, list of references and a copy of recent publications to: Dr. Gennaro F. Vito, Chairman, Director's Search Committee, School of Justice Administration, University of Louisville, Louisville, KY 40292. Deadline for application is February 1, 1985.

**Faculty Positions.** The Administration of Justice Department at the University of Missouri-St. Louis invites applications for two tenure track

positions at the rank of Assistant Professor. The appointments, contingent upon funding, will begin in the fall 1985 semester. The Ph.D. degree is preferred, however exceptional ABD candidates will be considered. Applicants must demonstrate a commitment to scholarly research. Responsibilities will include research, teaching and service.

Send vita and three letters of recommendation to: Dr. Scott H. Decker, Chair, Administration of Justice, University of Missouri-St. Louis, St. Louis, MO 63121. Deadline for applications is January 15, 1985. The University of Missouri-St. Louis is an equal employment and educational opportunity institution.

## Crime Analysis Supervisor Charlotte, N.C. (pop. 350,000)

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Desire experienced professional to manage the Crime Analysis Section of an 800-member Police Department. Applicants must be thoroughly familiar with all aspects of crime analysis, operations analysis, and uses of data processing technology and information systems in a crime analysis environment. Requires college degree with crime analysis experience, preferably with some supervisory experience.

Send resume with salary history to:

Art Brown,  
City of Charlotte Personnel  
600 East Trade Street  
Charlotte, NC 28202

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# Upcoming Events

## JANUARY 1985

- 15-16. Pursuit Driving. Presented by the Institute of Public Service, Brenau Professional College. To be held in Gainesville, Ga.
- 15-16. Hospital Security Seminar. Presented by the International Association for Hospital Security. To be held in Orlando, Fla.
- 16-17. Supervisory Principles for Communication Center Personnel. Sponsored by the University of Delaware, Division of Continuing Education. Fee: \$325.
- 16-17. Street Survival. Presented by Calibre Press. To be held in New Orleans. Fee: \$65.
- 17-18. Computer Security: Detection and Investigation. Sponsored by the University of Delaware, Division of Continuing Education. Fee: \$350.
- 21-23. Microcomputers in Criminal Justice. Presented by the National Police Institute. To be held in Warrensburg, Mo. Fee: \$225.
- 21-25. Microcomputer Programming with Database Management System. Presented by the Institute of Police Traffic Management. Fee: \$550.
- 21-25. Analytical Investigation Methods. Presented by ANACAPA Sciences Inc. To be held in New Orleans. Fee: \$445.
- 21-25. Traffic Accident Record & Analysis. Presented by the Traffic Institute. Fee: \$400.
- 21-25. Unconventional Personal Combat. Presented by the Institute of Public Service, Brenau Professional College. To be held in Gainesville, Ga.
- 21-25. Investigators' Usage of the Personal Computer. Presented by the University of Delaware, Division of Continuing Education. Fee: \$695.
- 21-February 8. Command Training Program. Presented by the New England Institute of Law Enforcement Management. To be held in Wellesley, Mass.
- 21-February 15. Principles of Police Management. Presented by the Institute of Police Traffic Management. Fee: \$750.
- 21-February 15. Police Traffic Management. Presented by the Institute of Police Traffic Management. Fee: \$750.
- 22-23. First-Line Police Supervision. Presented by the Criminal Justice Center of John Jay College of Criminal Justice. Fee: \$150.
- 22-23. Terrorism in the 1980's. Presented by the University of Delaware, Division of Continuing Education. Fee: \$350.
- 22-23. Conducting Security Surveys. Presented by Milwaukee Area Technical College.

- 23-24. Street Survival. Presented by Calibre Press. To be held in Atlantic City, N.J. Fee: \$65.
- 28-29. React, Fire, Win. A seminar presented by Wincom Inc. in conjunction with the National Association of Chiefs of Police. To be held in Lancaster, Pa. Fee: \$75.
- 28-30. Terrorism in the 80's. Presented by the Institute of Police Traffic Management. Fee: \$295.
- 28-February 1. Microcomputers in Criminal Justice. Presented by the National Police Institute. To be held in Warrensburg, Mo. Fee: \$325.
- 28-February 1. Advanced Surveillance Photography. Presented by the Institute of Public Service, Brenau Professional College. To be held in Gainesville, Ga.

## FEBRUARY

- 4-5. Intelligence Gathering and Analysis. Presented by the Criminal Justice Center of John Jay College of Criminal Justice. Fee: \$150.
- 4-5. Cargo Security. Presented by the University of Delaware, Division of Continuing Education. Fee: \$395.
- 4-8. Tire Forensics for the Traffic Accident Investigator. Presented by the Institute of Police Traffic Management. To be held in Jacksonville, Fla. Fee: \$250.
- 4-8. Investigation of Child Abuse and Sexual Exploitation. Presented by the International Association of Chiefs of Police. To be held in Savannah, Ga. Fee: \$425 (members), \$475 (non-members).
- 4-8. Special Topics in Personnel Management for Public Safety. Presented by the Institute of Public Service, Brenau Professional College. To be held in Gainesville, Ga.
- 4-8. Developing Administrative Support Skills. Presented by the International Association of Chiefs of Police. To be held in Houston. Fee: \$425 (members), \$475 (non-members).
- 4-22. Crime Prevention Theory, Practice and Management. Sponsored by the National Crime Prevention Institute. Fee: \$775.
- 5-7. Officer Survival. Presented by the Institute of Public Service, Brenau Professional College. To be held in Gainesville, Ga.
- 6-8. Practical Crime Analysis. Presented by the National Crime Prevention Institute. Fee: \$250.
- 9-10. Street Survival. Presented by Calibre Press. To be held in Boston. Fee: \$65.
- 11-13. Microcomputers in Criminal Justice. Presented by the National Police Institute. To be held in Warrensburg, Mo. Fee: \$225.
- 11-14. Civil and Vicarious Liability. Presented by the International Association of Chiefs of Police. To be held in Daytona Beach, Fla. Fee: \$425 (members), \$475 (non-members).
- 11-14. Analytical Investigation Methods. Presented by ANACAPA Sciences Inc. To be held in Richmond, Va. Fee: \$445.
- 11-14. Advanced Fleet Management. Presented by the International Association of Chiefs of Police. To be held in Las Vegas. Fee: \$425 (members), \$475 (non-members).
- 11-15. Command Post Operations. Presented by the Institute of Public Service, Brenau Professional College. To be held in Gainesville, Ga.
- 11-15. Seminar for the Field Training Officer. Presented by the Institute of Police Traffic Management. To be held in Jacksonville, Fla. Fee: \$325.
- 11-15. Counterterrorism and Hostage Rescue. Presented by the Institute of Public Service, Brenau Professional College. To be held in Gainesville, Ga.
- 11-15. Recognition and Prevention of Police Stress. Presented by the International Association of Chiefs of Police. To be held in Jacksonville, Fla. Fee: \$425 (members), \$475 (non-members).
- 13-14. Dispatcher Stress/Burnout Reduction. Presented by the University of Delaware, Division of Continuing Education. Fee: \$235.
- 18-22. Police Budget Preparation. Presented by the Traffic Institute. Fee: \$400.
- 18-22. Administering a Small Law Enforcement Agency. Presented by the International Association of Chiefs of Police. To be held in Phoenix, Ariz. Fee: \$425 (members), \$475 (non-members).
- 18-22. Emergency Management Administration. Presented by the Institute of Public Service, Brenau Professional College. To be held in Gainesville, Ga.
- 18-March 1. At-Scene Traffic Accident/Traffic Homicide Investigation. Presented by the Institute of Police Traffic Management. To be held in Jacksonville. Fee: \$425.
- 19-20. Street Survival. Presented by Calibre Press. To be held in Dallas. Fee: \$65.
- 19-21. Developing the Major Criminal Conspiracy Case. Presented by the International Association of Chiefs of Police. To be held in Atlanta. Fee: \$375 (members), \$425 (non-members).

- 21-22. Hospital Security Seminar. Sponsored by the University of Delaware, Division of Continuing Education. Fee: \$375.
- 22-24. Twelfth Annual Conference of the Western Society of Criminology. Theme: "Crime, Politics and the Media." To be held in Reno, Nev.
- 25-26. Dealing with Child Abuse. Presented by the Criminal Justice Center of John Jay College of Criminal Justice. Fee: \$150.
- 25-27. Introductory Microcomputer Workshop for the Police Manager. Presented by the Institute of Police Traffic Management. To be held in Jacksonville. Fee: \$295.
- 25-27. Advanced Police Internal Affairs Workshop. Presented by the Institute of Police Traffic Management. To be held in Jacksonville. Fee: \$275.
- 25-March 1. Advanced Management Practices. Presented by the New England Institute of Law Enforcement Management. To be held in Wellesley, Mass.
- 25-March 1. Microcomputers in Criminal Justice. Presented by the National Police Institute. To be held in Warrensburg, Mo. Fee: \$325.
- 25-March 1. Crisis Intervention for Public Safety Personnel. Presented by the Institute of Public Service, Brenau Professional College. To be held in Gainesville, Ga.
- 25-March 1. Microcomputer Workshop for Police Applications. Presented by the Institute of Police Traffic Management. To be held in Jacksonville. Fee: \$425.
- 25-March 1. Allocation and Distribution of Police Personnel. Presented by the International Association of Chiefs of Police. To be held in San Diego. Fee: \$425 (members), \$475 (non-members).
- 27-28. Family Violence Intervention. Sponsored by the University of Delaware, Division of Continuing Education. Fee: \$250.

- Presented by the Traffic Institute. Fee: \$330.
- 4-8. Executive Protective Services. Presented by the Institute of Public Service, Brenau Professional College. To be held in Gainesville, Ga.
- 4-15. Advanced Traffic Accident Investigation. Presented by the Institute of Police Traffic Management. Fee: \$425.
- 4-15. Crime Prevention Technology and Programming. Presented by the National Crime Prevention Institute. Fee: \$550.
- 5-8. Mounted Police Unit. Presented by the University of Delaware, Division of Continuing Education. Fee: \$325.
7. Street Gang Seminar. Presented by the Traffic Institute. Fee: \$60.
- 11-12. Officer Survival. Presented by the Criminal Justice Center, John Jay College of Criminal Justice. Fee: \$150.
- 11-12. Street Survival. Sponsored by Calibre Press. To be held in Fairfax, Va. Fee: \$65.
- 11-15. Computer Technology in Law Enforcement 1. Presented by the Traffic Institute. Fee: \$330.
- 11-15. Hotel/Motel Fire Prevention and Safety Management. Presented by the Institute of Public Service, Brenau Professional College. To be held in Gainesville, Ga.
- 11-15. Managing the Selective Traffic Enforcement. Presented by the Traffic Institute. Fee: \$330.
- 11-22. Supervising a Selective Traffic Law Enforcement Program. Presented by the Institute of Police Traffic Management. Fee: \$425.
- 11-22. Police Supervision. Presented by the Institute of Police Traffic Management. Fee: \$425.
13. Active Countermeasures. Presented by the Milwaukee Area Technical College.
- 13-15. POLEX Legal Forum. Presented by the Police Executive Development Institute, Pennsylvania State University. Fee: \$195.
- 13-15. Robbery/Burglary Investigation. Presented by the University of Delaware, Division of Continuing Education. Fee: \$300.
- 13-15. Contemporary Issues in Police Administration: Civil and Vicarious Liability. Presented by the Southwestern Legal Foundation. To be held in Dallas, Tex.
- 14-15. Active Countermeasures - Instructor Training. Presented by the Milwaukee Area Technical College.
23. Street Survival. Sponsored by Calibre Press. To be held in Miami, Fla. Fee: \$65.
- 4-5. Report Writing for Law Enforcement Personnel. Presented by the Criminal Justice Center of John Jay College of Criminal Justice. Fee: \$150.
- 4-6. Commanders' Course on Hostage Incidents. Presented by the Traffic Institute. Fee: \$300.
- 4-8. Analytical Investigation Methods. Presented by ANACAPA Sciences Inc. To be held in Louisville, Ky. Fee: \$445.
- 4-8. Selective Traffic/Operational Level.

## MARCH

23. Street Survival. Sponsored by Calibre Press. To be held in Miami, Fla. Fee: \$65.
- 4-5. Report Writing for Law Enforcement Personnel. Presented by the Criminal Justice Center of John Jay College of Criminal Justice. Fee: \$150.
- 4-6. Commanders' Course on Hostage Incidents. Presented by the Traffic Institute. Fee: \$300.
- 4-8. Analytical Investigation Methods. Presented by ANACAPA Sciences Inc. To be held in Louisville, Ky. Fee: \$445.
- 4-8. Selective Traffic/Operational Level.

## Directory of Training Sources

ANACAPA Sciences Inc., Law Enforcement Programs, Drawer Q, Santa Barbara, CA 93102

Association of Police Planning and Research Officers, c/o Capt. Stan Carter, Sarasota Police Department, P.O. Box 3528, Sarasota, FL 33578. Tel.: (813) 366-8000.

Calibre Press, 666 Dundee Rd., Suite 1607, Northbrook, IL 60062

Center for Criminal Justice, Case Western Reserve University, Cleveland, OH 44106. Tel.: (216) 368-3308.

Criminal Justice Center, John Jay College of Criminal Justice, 444 West 56th Street, New York, NY 10019. Tel.: (212) 247-1600

Criminal Justice Training Center, Modesto Junior College, 2201 Blue Gum Avenue, P.O. Box 4065, Modesto, CA 95352. Tel.: (209) 575-6487.

Criminal Justice Training and Education Center, Attn: Ms. Jeanne L. Klein, 945 S. Ostrout Avenue, Toledo, OH 43614. Tel.: (419) 382-6665.

Florida Institute for Law Enforcement,

St. Petersburg Junior College, P.O. Box 13489, St. Petersburg, FL 33733.

Institute of Police Traffic Management, University of North Florida, 4557 St. Johns Bluff Rd. So., Jacksonville, FL 32216

Institute of Public Service, Brenau Professional College, Gainesville, GA 30601-3597.

International Association of Chiefs of Police, 13 Firstfield Road, Gaithersburg, MD 20878. Tel.: (301) 948-0922.

International Association for Hospital Security, P.O. Box 537, Lombard, IL 60148. Tel.: (312) 953-0990.

Lifestyle Management Associates Inc., 5350 Poplar Avenue, Suite 410, P.O. Box 17781, Memphis, TN 38187-0781.

Milwaukee Area Technical College, 1015 North Sixth Street, Milwaukee, Wis. 53203.

MIS Training Institute, 4 Brewster Road, Framingham, MA 01701. Tel.: (617) 879-7999.

Narcotic Enforcement Officers Association, P.O. Box 999, Darien, CT

06820. Tel.: (203) 655-2906.

National Crime Prevention Institute, School of Justice Administration, University of Louisville, Louisville, KY 40292.

National Police Institute, 405 Humphreys Building, Central Missouri State University, Warrensburg, MO 64093-5119.

New England Institute of Law Enforcement Management, Babson College, Drawer E, Babson Park, MA 02157.

Pennsylvania State University, S-159 Human Development Bldg., University Park, PA 16802

Police Executive Development Institute (POLEX), The Pennsylvania State University, S159 Human Development Building, University Park, PA 16802. Tel.: (814) 863-0262.

Richard W. Kobetz and Associates, North Mountain Pines, Route Two, Box 342, Winchester, VA 22601. Tel.: (703) 662-7288

Sam Houston State University, Criminal Justice Center Police Academy, Box 2295, Huntsville, TX

77341.

Sirchie Finger Print Laboratories, Criminalistics Training Center, 114 Triangle Drive, P.O. Box 30576, Raleigh, NC 27622.

Southern Police Institute, Attn: Ms. Shirley Beck, University of Louisville, Louisville, KY 40292. Tel.: (502) 588-6551.

Southwestern Law Enforcement Institute, P.O. Box 707, Richardson, TX 75080. Tel.: (214) 690-2370.

Traffic Institute, 555 Clark Street, P.O. Box 1409, Evanston, IL 60204

University of Delaware, Division of Continuing Education, 2800 Pennsylvania Avenue, Wilmington, DE 19806. Tel.: (302) 738-8155

Western Society of Criminology, Dr. Charles Tracy, President, Portland State University, Administration of Justice, Portland, OR 97207.

Wincom Inc., P.O. Box 663, Westerville, OH 43081. Telephone: (614) 866-2739.

## ATTENTION! ATTENTION! ATTENTION!

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### FOR ADDITIONAL INFORMATION

Contact Director  
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Humphreys Building 405  
Central Missouri State University  
Warrensburg, Missouri 64093  
(816) 429-4091



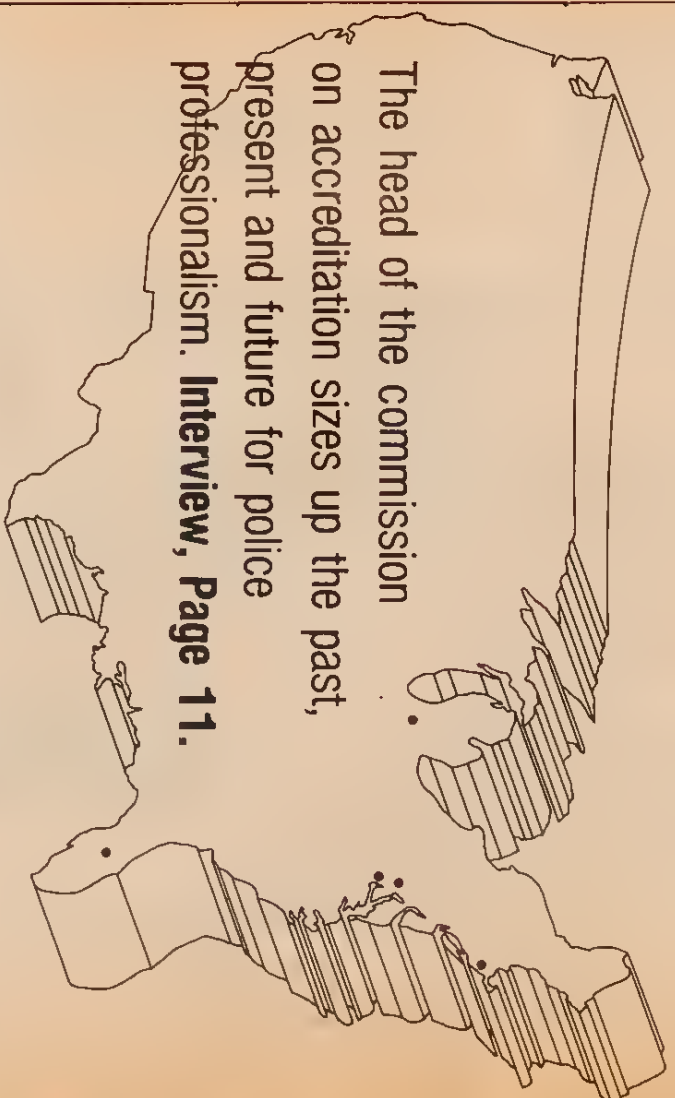
# Law Enforcement News

December 10, 1984

Vol. X, No. 21

John Jay College of Criminal Justice/CUNY  
Law Enforcement News  
444 West 56th Street  
New York, NY 10019

## Accreditation's embryonic empire



The head of the commission  
on accreditation sizes up the past,  
present and future for police  
professionalism. **Interview, Page 11.**

### Also in this issue:

House subcommittee rips racism in the New York City police.....	1	Supreme Court Briefs: State court rulings on hot pursuit, getting away with a ruse.....	9
Supreme Court to rule on shooting fleeing felons.....	1	Burden's Beat: Federal, state and local crimefighters are learning to work together.....	9
Car stolen? Your chances of getting it back are diminishing.....	3		

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